

AUGUST 16, 2017

RULES COMMITTEE PRINT 115-31

TEXT OF “INTERIOR AND ENVIRONMENT, AGRICULTURE AND RURAL DEVELOPMENT, COMMERCE, JUSTICE, SCIENCE, FINANCIAL SERVICES AND GENERAL GOVERNMENT, HOMELAND SECURITY, LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, STATE AND FOREIGN OPERATIONS, AND TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2018”

[showing the text of H.R. 3354, H.R. 3268, H.R. 3267, H.R. 3280, H.R. 3355, H.R. 3358, H.R. 3362, and H.R. 3353 as reported by the Committee on Appropriations with modifications.]

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Interior and Environ-
3 ment, Agriculture and Rural Development, Commerce,
4 Justice, Science, Financial Services and General Govern-
5 ment, Homeland Security, Labor, Health and Human
6 Services, Education, State and Foreign Operations, and
7 Transportation, Housing and Urban Development Appro-
8 priations Act, 2018”.

1 **SEC. 2. ADDITIONAL REFERENCE.**

2 This Act may also be referred to as the “Make Amer-
3 ica Secure and Prosperous Appropriations Act, 2018”.

4 **DIVISION A—DEPARTMENT OF THE INTE-**
5 **RIOR, ENVIRONMENT, AND RELATED**
6 **AGENCIES APPROPRIATIONS ACT, 2018**

7 The following sums are appropriated, out of any
8 money in the Treasury not otherwise appropriated, for the
9 Department of the Interior, environment, and related
10 agencies for the fiscal year ending September 30, 2018,
11 and for other purposes, namely:

12 **TITLE I**

13 **DEPARTMENT OF THE INTERIOR**

14 **BUREAU OF LAND MANAGEMENT**

15 **MANAGEMENT OF LANDS AND RESOURCES**

16 For necessary expenses for protection, use, improve-
17 ment, development, disposal, cadastral surveying, classi-
18 fication, acquisition of easements and other interests in
19 lands, and performance of other functions, including main-
20 tenance of facilities, as authorized by law, in the manage-
21 ment of lands and their resources under the jurisdiction
22 of the Bureau of Land Management, including the general
23 administration of the Bureau, and assessment of mineral
24 potential of public lands pursuant to section 1010(a) of
25 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,074,503,000,
26 to remain available until expended, including all such

1 amounts as are collected from permit processing fees, as
2 authorized but made subject to future appropriation by
3 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
4 U.S.C. 191), except that amounts from permit processing
5 fees may be used for any bureau-related expenses associ-
6 ated with the processing of oil and gas applications for
7 permits to drill and related use of authorizations.

8 In addition, \$39,696,000 is for Mining Law Adminis-
9 tration program operations, including the cost of admin-
10 istering the mining claim fee program, to remain available
11 until expended, to be reduced by amounts collected by the
12 Bureau and credited to this appropriation from mining
13 claim maintenance fees and location fees that are hereby
14 authorized for fiscal year 2018, so as to result in a final
15 appropriation estimated at not more than \$1,074,503,000,
16 and \$2,000,000, to remain available until expended, from
17 communication site rental fees established by the Bureau
18 for the cost of administering communication site activities.

19 LAND ACQUISITION

20 (INCLUDING RESCISSION OF FUNDS)

21 For expenses necessary to carry out sections 205,
22 206, and 318(d) of Public Law 94–579, including admin-
23 istrative expenses and acquisition of lands or waters, or
24 interests therein, \$12,800,000, to be derived from the

1 Land and Water Conservation Fund and to remain avail-
2 able until expended.

3 Of the unobligated balances available for this account
4 from prior appropriations, \$1,769,000 are permanently re-
5 scinded.

6 OREGON AND CALIFORNIA GRANT LANDS

7 For expenses necessary for management, protection,
8 and development of resources and for construction, oper-
9 ation, and maintenance of access roads, reforestation, and
10 other improvements on the revested Oregon and California
11 Railroad grant lands, on other Federal lands in the Or-
12 egon and California land-grant counties of Oregon, and
13 on adjacent rights-of-way; and acquisition of lands or in-
14 terests therein, including existing connecting roads on or
15 adjacent to such grant lands; \$104,256,000, to remain
16 available until expended: *Provided*, That 25 percent of the
17 aggregate of all receipts during the current fiscal year
18 from the revested Oregon and California Railroad grant
19 lands is hereby made a charge against the Oregon and
20 California land-grant fund and shall be transferred to the
21 General Fund in the Treasury in accordance with the sec-
22 ond paragraph of subsection (b) of title II of the Act of
23 August 28, 1937 (43 U.S.C. 2605).

1 RANGE IMPROVEMENTS

2 For rehabilitation, protection, and acquisition of
3 lands and interests therein, and improvement of Federal
4 rangelands pursuant to section 401 of the Federal Land
5 Policy and Management Act of 1976 (43 U.S.C. 1751),
6 notwithstanding any other Act, sums equal to 50 percent
7 of all moneys received during the prior fiscal year under
8 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
9 315b, 315m) and the amount designated for range im-
10 provements from grazing fees and mineral leasing receipts
11 from Bankhead-Jones lands transferred to the Depart-
12 ment of the Interior pursuant to law, but not less than
13 \$10,000,000, to remain available until expended: *Pro-*
14 *vided*, That not to exceed \$600,000 shall be available for
15 administrative expenses.

16 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

17 For administrative expenses and other costs related
18 to processing application documents and other authoriza-
19 tions for use and disposal of public lands and resources,
20 for costs of providing copies of official public land docu-
21 ments, for monitoring construction, operation, and termi-
22 nation of facilities in conjunction with use authorizations,
23 and for rehabilitation of damaged property, such amounts
24 as may be collected under Public Law 94–579 (43 U.S.C.
25 1701 et seq.), and under section 28 of the Mineral Leasing

1 Act (30 U.S.C. 185), to remain available until expended:
2 *Provided*, That notwithstanding any provision to the con-
3 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
4 1735(a)), any moneys that have been or will be received
5 pursuant to that section, whether as a result of forfeiture,
6 compromise, or settlement, if not appropriate for refund
7 pursuant to section 305(c) of that Act (43 U.S.C.
8 1735(c)), shall be available and may be expended under
9 the authority of this Act by the Secretary to improve, pro-
10 tect, or rehabilitate any public lands administered through
11 the Bureau of Land Management which have been dam-
12 aged by the action of a resource developer, purchaser, per-
13 mittee, or any unauthorized person, without regard to
14 whether all moneys collected from each such action are
15 used on the exact lands damaged which led to the action:
16 *Provided further*, That any such moneys that are in excess
17 of amounts needed to repair damage to the exact land for
18 which funds were collected may be used to repair other
19 damaged public lands.

20 MISCELLANEOUS TRUST FUNDS

21 In addition to amounts authorized to be expended
22 under existing laws, there is hereby appropriated such
23 amounts as may be contributed under section 307 of Pub-
24 lic Law 94–579 (43 U.S.C. 1737), and such amounts as
25 may be advanced for administrative costs, surveys, ap-

1 praisals, and costs of making conveyances of omitted lands
2 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
3 remain available until expended.

4 ADMINISTRATIVE PROVISIONS

5 The Bureau of Land Management may carry out the
6 operations funded under this Act by direct expenditure,
7 contracts, grants, cooperative agreements and reimburs-
8 able agreements with public and private entities, including
9 with States. Appropriations for the Bureau shall be avail-
10 able for purchase, erection, and dismantlement of tem-
11 porary structures, and alteration and maintenance of nec-
12 essary buildings and appurtenant facilities to which the
13 United States has title; up to \$100,000 for payments, at
14 the discretion of the Secretary, for information or evidence
15 concerning violations of laws administered by the Bureau;
16 miscellaneous and emergency expenses of enforcement ac-
17 tivities authorized or approved by the Secretary and to be
18 accounted for solely on the Secretary's certificate, not to
19 exceed \$10,000: *Provided*, That notwithstanding Public
20 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
21 operative cost-sharing and partnership arrangements au-
22 thorized by law, procure printing services from cooperators
23 in connection with jointly produced publications for which
24 the cooperators share the cost of printing either in cash
25 or in services, and the Bureau determines the cooperator

1 is capable of meeting accepted quality standards: *Provided*
2 *further*, That projects to be funded pursuant to a written
3 commitment by a State government to provide an identi-
4 fied amount of money in support of the project may be
5 carried out by the Bureau on a reimbursable basis. Appro-
6 priations herein made shall not be available for the sale
7 of wild horses and burros that results in their destruction
8 for processing into commercial products, including for
9 human consumption.

10 UNITED STATES FISH AND WILDLIFE SERVICE

11 RESOURCE MANAGEMENT

12 For necessary expenses of the United States Fish and
13 Wildlife Service, as authorized by law, and for scientific
14 and economic studies, general administration, and for the
15 performance of other authorized functions related to such
16 resources, \$1,247,109,000 to remain available until Sep-
17 tember 30, 2019: *Provided*, That not to exceed
18 \$17,122,000 shall be used for implementing subsections
19 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
20 cies Act of 1973 (16 U.S.C. 1533) (except for processing
21 petitions, developing and issuing proposed and final regu-
22 lations, and taking any other steps to implement actions
23 described in subsection (c)(2)(A), (c)(2)(B)(i), or
24 (c)(2)(B)(ii)); of which not to exceed \$3,270,000 shall be
25 used for any activity regarding the designation of critical

1 habitat, pursuant to subsection (a)(3), excluding litigation
2 support, for species listed pursuant to subsection (a)(1)
3 prior to October 1, 2015; of which not to exceed
4 \$1,498,000 shall be used for any activity regarding peti-
5 tions to list species that are indigenous to the United
6 States pursuant to subsections (b)(3)(A) and (b)(3)(B);
7 and, of which not to exceed \$501,000 shall be used for
8 implementing subsections (a), (b), (c), and (e) of section
9 4 of the Endangered Species Act of 1973 (16 U.S.C.
10 1533) for species that are not indigenous to the United
11 States.

12 CONSTRUCTION

13 For construction, improvement, acquisition, or re-
14 moval of buildings and other facilities required in the con-
15 servation, management, investigation, protection, and uti-
16 lization of fish and wildlife resources, and the acquisition
17 of lands and interests therein; \$16,540,000, to remain
18 available until expended.

19 LAND ACQUISITION

20 (INCLUDING RESCISSION OF FUNDS)

21 For expenses necessary to carry out chapter 2003 of
22 title 54, United States Code, including administrative ex-
23 penses, and for acquisition of land or waters, or interest
24 therein, in accordance with statutory authority applicable
25 to the United States Fish and Wildlife Service,

1 \$40,641,000, to be derived from the Land and Water Con-
2 servation Fund and to remain available until expended,
3 of which, notwithstanding section 200306 of title 54,
4 United States Code, not more than \$10,000,000 shall be
5 for land conservation partnerships authorized by the
6 Highlands Conservation Act of 2004, including not to ex-
7 ceed \$320,000 for administrative expenses: *Provided*, That
8 none of the funds appropriated for specific land acquisi-
9 tion projects may be used to pay for any administrative
10 overhead, planning or other management costs.

11 Of the unobligated balances available for this account
12 from prior appropriations, \$4,572,000 are permanently re-
13 scinded.

14 COOPERATIVE ENDANGERED SPECIES CONSERVATION
15 FUND

16 For expenses necessary to carry out section 6 of the
17 Endangered Species Act of 1973 (16 U.S.C. 1535),
18 \$53,495,000, to remain available until expended, of which
19 \$22,695,000 is to be derived from the Cooperative Endan-
20 gered Species Conservation Fund; and of which
21 \$30,800,000 is to be derived from the Land and Water
22 Conservation Fund.

23 Of the unobligated balances available for this account
24 from appropriations made for fiscal years prior to fiscal
25 year 2013, \$3,000,000 are permanently rescinded.

1 NATIONAL WILDLIFE REFUGE FUND

2 For expenses necessary to implement the Act of Octo-
3 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

4 NORTH AMERICAN WETLANDS CONSERVATION FUND

5 For expenses necessary to carry out the provisions
6 of the North American Wetlands Conservation Act (16
7 U.S.C. 4401 et seq.), \$38,145,000, to remain available
8 until expended.

9 NEOTROPICAL MIGRATORY BIRD CONSERVATION

10 For expenses necessary to carry out the Neotropical
11 Migratory Bird Conservation Act (16 U.S.C. 6101 et
12 seq.), \$3,900,000, to remain available until expended.

13 MULTINATIONAL SPECIES CONSERVATION FUND

14 For expenses necessary to carry out the African Ele-
15 phant Conservation Act (16 U.S.C. 4201 et seq.), the
16 Asian Elephant Conservation Act of 1997 (16 U.S.C.
17 4261 et seq.), the Rhinoceros and Tiger Conservation Act
18 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
19 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
20 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
21 et seq.), \$11,061,000, to remain available until expended.

22 STATE AND TRIBAL WILDLIFE GRANTS

23 For wildlife conservation grants to States and to the
24 District of Columbia, Puerto Rico, Guam, the United
25 States Virgin Islands, the Northern Mariana Islands,

1 American Samoa, and Indian tribes under the provisions
2 of the Fish and Wildlife Act of 1956 and the Fish and
3 Wildlife Coordination Act, for the development and imple-
4 mentation of programs for the benefit of wildlife and their
5 habitat, including species that are not hunted or fished,
6 \$62,571,000, to remain available until expended: *Pro-*
7 *vided*, That of the amount provided herein, \$4,209,000 is
8 for a competitive grant program for Indian tribes not sub-
9 ject to the remaining provisions of this appropriation: *Pro-*
10 *vided further*, That \$6,362,000 is for a competitive grant
11 program to implement approved plans for States, terri-
12 tories, and other jurisdictions and at the discretion of af-
13 fected States, the regional Associations of fish and wildlife
14 agencies, not subject to the remaining provisions of this
15 appropriation: *Provided further*, That the Secretary shall,
16 after deducting \$10,571,000 and administrative expenses,
17 apportion the amount provided herein in the following
18 manner: (1) to the District of Columbia and to the Com-
19 monwealth of Puerto Rico, each a sum equal to not more
20 than one-half of 1 percent thereof; and (2) to Guam,
21 American Samoa, the United States Virgin Islands, and
22 the Commonwealth of the Northern Mariana Islands, each
23 a sum equal to not more than one-fourth of 1 percent
24 thereof: *Provided further*, That the Secretary shall appor-
25 tion the remaining amount in the following manner: (1)

1 one-third of which is based on the ratio to which the land
2 area of such State bears to the total land area of all such
3 States; and (2) two-thirds of which is based on the ratio
4 to which the population of such State bears to the total
5 population of all such States: *Provided further*, That the
6 amounts apportioned under this paragraph shall be ad-
7 justed equitably so that no State shall be apportioned a
8 sum which is less than 1 percent of the amount available
9 for apportionment under this paragraph for any fiscal year
10 or more than 5 percent of such amount: *Provided further*,
11 That the Federal share of planning grants shall not exceed
12 75 percent of the total costs of such projects and the Fed-
13 eral share of implementation grants shall not exceed 65
14 percent of the total costs of such projects: *Provided fur-*
15 *ther*, That the non-Federal share of such projects may not
16 be derived from Federal grant programs: *Provided further*,
17 That any amount apportioned in 2018 to any State, terri-
18 tory, or other jurisdiction that remains unobligated as of
19 September 30, 2019, shall be reapportioned, together with
20 funds appropriated in 2020, in the manner provided here-
21 in.

22 ADMINISTRATIVE PROVISIONS

23 The United States Fish and Wildlife Service may
24 carry out the operations of Service programs by direct ex-
25 penditure, contracts, grants, cooperative agreements and

1 reimbursable agreements with public and private entities.
2 Appropriations and funds available to the United States
3 Fish and Wildlife Service shall be available for repair of
4 damage to public roads within and adjacent to reservation
5 areas caused by operations of the Service; options for the
6 purchase of land at not to exceed \$1 for each option; facili-
7 ties incident to such public recreational uses on conserva-
8 tion areas as are consistent with their primary purpose;
9 and the maintenance and improvement of aquaria, build-
10 ings, and other facilities under the jurisdiction of the Serv-
11 ice and to which the United States has title, and which
12 are used pursuant to law in connection with management,
13 and investigation of fish and wildlife resources: *Provided*,
14 That notwithstanding 44 U.S.C. 501, the Service may,
15 under cooperative cost sharing and partnership arrange-
16 ments authorized by law, procure printing services from
17 cooperators in connection with jointly produced publica-
18 tions for which the cooperators share at least one-half the
19 cost of printing either in cash or services and the Service
20 determines the cooperator is capable of meeting accepted
21 quality standards: *Provided further*, That the Service may
22 accept donated aircraft as replacements for existing air-
23 craft: *Provided further*, That notwithstanding 31 U.S.C.
24 3302, all fees collected for non-toxic shot review and ap-
25 proval shall be deposited under the heading “United

1 States Fish and Wildlife Service—Resource Management”
2 and shall be available to the Secretary, without further
3 appropriation, to be used for expenses of processing of
4 such non-toxic shot type or coating applications and revis-
5 ing regulations as necessary, and shall remain available
6 until expended.

7 NATIONAL PARK SERVICE

8 OPERATION OF THE NATIONAL PARK SYSTEM

9 For expenses necessary for the management, oper-
10 ation, and maintenance of areas and facilities adminis-
11 tered by the National Park Service and for the general
12 administration of the National Park Service,
13 \$2,410,031,000, of which \$10,032,000 for planning and
14 interagency coordination in support of Everglades restora-
15 tion and \$124,461,000 for maintenance, repair, or reha-
16 bilitation projects for constructed assets shall remain
17 available until September 30, 2019: *Provided*, That funds
18 appropriated under this heading in this Act are available
19 for the purposes of section 5 of Public Law 95–348.

20 NATIONAL RECREATION AND PRESERVATION

21 For expenses necessary to carry out recreation pro-
22 grams, natural programs, cultural programs, heritage
23 partnership programs, environmental compliance and re-
24 view, international park affairs, and grant administration,
25 not otherwise provided for, \$59,629,000.

1 HISTORIC PRESERVATION FUND

2 For expenses necessary in carrying out the National
3 Historic Preservation Act (division A of subtitle III of title
4 54, United States Code), \$75,410,000, to be derived from
5 the Historic Preservation Fund and to remain available
6 until September 30, 2019, of which \$5,000,000 shall be
7 for Save America's Treasures grants for preservation of
8 national significant sites, structures, and artifacts as au-
9 thorized by section 7303 of the Omnibus Public Land
10 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
11 That an individual Save America's Treasures grant shall
12 be matched by non-Federal funds: *Provided further*, That
13 individual projects shall only be eligible for one grant: *Pro-*
14 *vided further*, That all projects to be funded shall be ap-
15 proved by the Secretary of the Interior in consultation
16 with the House and Senate Committees on Appropria-
17 tions: *Provided further*, That of the funds provided for the
18 Historic Preservation Fund, \$500,000 is for competitive
19 grants for the survey and nomination of properties to the
20 National Register of Historic Places and as National His-
21 toric Landmarks associated with communities currently
22 underrepresented, as determined by the Secretary,
23 \$10,500,000 is for competitive grants to preserve the sites
24 and stories of the Civil Rights movement, and \$3,000,000
25 is for grants to Historically Black Colleges and Univer-

1 cities: *Provided further*, That such competitive grants shall
2 be made without imposing the matching requirements in
3 section 302902(b)(3) of title 54, United States Code to
4 States and Indian tribes as defined in chapter 3003 of
5 such title, Native Hawaiian organizations, local govern-
6 ments, including Certified Local Governments, and non-
7 profit organizations.

8 CONSTRUCTION

9 For construction, improvements, repair, or replace-
10 ment of physical facilities, and compliance and planning
11 for programs and areas administered by the National
12 Park Service, \$219,844,000, to remain available until ex-
13 pended: *Provided*, That notwithstanding any other provi-
14 sion of law, for any project initially funded in fiscal year
15 2018 with a future phase indicated in the National Park
16 Service 5-Year Line Item Construction Plan, a single pro-
17 curement may be issued which includes the full scope of
18 the project: *Provided further*, That the solicitation and
19 contract shall contain the clause availability of funds
20 found at 48 CFR 52.232–18: *Provided further*, That Na-
21 tional Park Service Donations, Park Concessions Fran-
22 chise Fees, and Recreation Fees may be made available
23 for the cost of adjustments and changes within the origi-
24 nal scope of effort for projects funded by the National
25 Park Service Construction appropriation: *Provided further*,

1 That the Secretary of the Interior shall consult with the
2 Committees on Appropriations, in accordance with current
3 reprogramming thresholds, prior to making any charges
4 authorized by this section.

5 LAND AND WATER CONSERVATION FUND
6 (RESCISSION)

7 The contract authority provided for fiscal year 2018
8 by section 200308 of title 54, United States Code, is re-
9 scinded.

10 LAND ACQUISITION AND STATE ASSISTANCE
11 (INCLUDING RESCISSION OF FUNDS)

12 For expenses necessary to carry out chapter 2003 of
13 title 54, United States Code, including administrative ex-
14 penses, and for acquisition of lands or waters, or interest
15 therein, in accordance with the statutory authority appli-
16 cable to the National Park Service, \$120,575,000, to be
17 derived from the Land and Water Conservation Fund and
18 to remain available until expended, of which \$79,006,000
19 is for the State assistance program and of which
20 \$10,000,000 shall be for the American Battlefield Protec-
21 tion Program grants as authorized by chapter 3081 of title
22 54, United States Code.

23 Of the unobligated balances available for this account
24 from prior appropriations, \$4,500,000 are permanently re-
25 scinded.

1 CENTENNIAL CHALLENGE

2 For expenses necessary to carry out the provisions
3 of section 101701 of title 54, United States Code, relating
4 to challenge cost share agreements, \$15,000,000, to re-
5 main available until expended, for Centennial Challenge
6 projects and programs: *Provided*, That not less than 50
7 percent of the total cost of each project or program shall
8 be derived from non-Federal sources in the form of do-
9 nated cash, assets, or a pledge of donation guaranteed by
10 an irrevocable letter of credit.

11 ADMINISTRATIVE PROVISIONS

12 (INCLUDING TRANSFER OF FUNDS)

13 In addition to other uses set forth in section
14 101917(c)(2) of title 54, United States Code, franchise
15 fees credited to a sub-account shall be available for ex-
16 penditure by the Secretary, without further appropriation,
17 for use at any unit within the National Park System to
18 extinguish or reduce liability for Possessory Interest or
19 leasehold surrender interest. Such funds may only be used
20 for this purpose to the extent that the benefitting unit an-
21 ticipated franchise fee receipts over the term of the con-
22 tract at that unit exceed the amount of funds used to ex-
23 tinguish or reduce liability. Franchise fees at the benefit-
24 ting unit shall be credited to the sub-account of the origi-
25 nating unit over a period not to exceed the term of a single

1 contract at the benefitting unit, in the amount of funds
2 so expended to extinguish or reduce liability.

3 For the costs of administration of the Land and
4 Water Conservation Fund grants authorized by section
5 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
6 of 2006 (Public Law 109–432), the National Park Service
7 may retain up to 3 percent of the amounts which are au-
8 thorized to be disbursed under such section, such retained
9 amounts to remain available until expended.

10 National Park Service funds may be transferred to
11 the Federal Highway Administration (FHWA), Depart-
12 ment of Transportation, for purposes authorized under
13 section 204 of title 23, United States Code. Transfers may
14 include a reasonable amount for FHWA administrative
15 support costs.

16 UNITED STATES GEOLOGICAL SURVEY
17 SURVEYS, INVESTIGATIONS, AND RESEARCH

18 For expenses necessary for the United States Geo-
19 logical Survey to perform surveys, investigations, and re-
20 search covering topography, geology, hydrology, biology,
21 and the mineral and water resources of the United States,
22 its territories and possessions, and other areas as author-
23 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
24 to their mineral and water resources; give engineering su-
25 pervision to power permittees and Federal Energy Regu-

latory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; \$1,038,922,000, to remain available until September 30, 2019; of which \$70,933,913 shall remain available until expended for satellite operations; and of which \$7,266,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed \$100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geo-

1 physical or other specialized surveys when it is administra-
2 tively determined that such procedures are in the public
3 interest; construction and maintenance of necessary build-
4 ings and appurtenant facilities; acquisition of lands for
5 water resources and natural hazards activities through
6 permits and licenses; expenses of the United States Na-
7 tional Committee for Geological Sciences; and payment of
8 compensation and expenses of persons employed by the
9 Survey duly appointed to represent the United States in
10 the negotiation and administration of interstate compacts:
11 *Provided*, That activities funded by appropriations herein
12 made may be accomplished through the use of contracts,
13 grants, or cooperative agreements as defined in section
14 6302 of title 31, United States Code: *Provided further*,
15 That the United States Geological Survey may enter into
16 contracts or cooperative agreements directly with individ-
17 uals or indirectly with institutions or nonprofit organiza-
18 tions, without regard to 41 U.S.C. 6101, for the tem-
19 porary or intermittent services of students or recent grad-
20 uates, who shall be considered employees for the purpose
21 of chapters 57 and 81 of title 5, United States Code, relat-
22 ing to compensation for travel and work injuries, and
23 chapter 171 of title 28, United States Code, relating to
24 tort claims, but shall not be considered to be Federal em-
25 ployees for any other purposes.

1 BUREAU OF OCEAN ENERGY MANAGEMENT

2 OCEAN ENERGY MANAGEMENT

3 (INCLUDING RESCISSION OF FUNDS)

4 For expenses necessary for granting leases, ease-
5 ments, rights-of-way and agreements for use for oil and
6 gas, other minerals, energy, and marine-related purposes
7 on the Outer Continental Shelf and approving operations
8 related thereto, as authorized by law; for environmental
9 studies, as authorized by law; for implementing other laws
10 and to the extent provided by Presidential or Secretarial
11 delegation; and for matching grants or cooperative agree-
12 ments, \$171,000,000, of which \$114,166,000 is to remain
13 available until September 30, 2019, and of which
14 \$56,834,000 is to remain available until expended: *Pro-*
15 *vided*, That this total appropriation shall be reduced by
16 amounts collected by the Secretary and credited to this
17 appropriation from additions to receipts resulting from in-
18 creases to lease rental rates in effect on August 5, 1993,
19 and from cost recovery fees from activities conducted by
20 the Bureau of Ocean Energy Management pursuant to the
21 Outer Continental Shelf Lands Act, including studies, as-
22 sessments, analysis, and miscellaneous administrative ac-
23 tivities: *Provided further*, That the sum herein appro-
24 priated shall be reduced as such collections are received
25 during the fiscal year, so as to result in a final fiscal year

1 2018 appropriation estimated at not more than
2 \$114,166,000: *Provided further*, That not to exceed
3 \$3,000 shall be available for reasonable expenses related
4 to promoting volunteer beach and marine cleanup activi-
5 ties.

6 Of the unobligated balances available for this ac-
7 count, \$25,000,000 are permanently rescinded.

8 BUREAU OF SAFETY AND ENVIRONMENTAL
9 ENFORCEMENT

10 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
11 (INCLUDING RESCISSION OF FUNDS)

12 For expenses necessary for the regulation of oper-
13 ations related to leases, easements, rights-of-way and
14 agreements for use for oil and gas, other minerals, energy,
15 and marine-related purposes on the Outer Continental
16 Shelf, as authorized by law; for enforcing and imple-
17 menting laws and regulations as authorized by law and
18 to the extent provided by Presidential or Secretarial dele-
19 gation; and for matching grants or cooperative agree-
20 ments, \$136,411,000, of which \$108,540,000 is to remain
21 available until September 30, 2019, and of which
22 \$27,871,000 is to remain available until expended: *Pro-*
23 *vided*, That this total appropriation shall be reduced by
24 amounts collected by the Secretary and credited to this
25 appropriation from additions to receipts resulting from in-

1 creases to lease rental rates in effect on August 5, 1993,
2 and from cost recovery fees from activities conducted by
3 the Bureau of Safety and Environmental Enforcement
4 pursuant to the Outer Continental Shelf Lands Act, in-
5 cluding studies, assessments, analysis, and miscellaneous
6 administrative activities: *Provided further*, That the sum
7 herein appropriated shall be reduced as such collections
8 are received during the fiscal year, so as to result in a
9 final fiscal year 2018 appropriation estimated at not more
10 than \$108,540,000.

11 For an additional amount, \$50,000,000, to remain
12 available until expended, to be reduced by amounts col-
13 lected by the Secretary and credited to this appropriation,
14 which shall be derived from non-refundable inspection fees
15 collected in fiscal year 2018, as provided in this Act: *Pro-*
16 *vided*, That to the extent that amounts realized from such
17 inspection fees exceed \$50,000,000, the amounts realized
18 in excess of \$50,000,000 shall be credited to this appro-
19 priation and remain available until expended: *Provided*
20 *further*, That for fiscal year 2018, not less than 50 percent
21 of the inspection fees expended by the Bureau of Safety
22 and Environmental Enforcement will be used to fund per-
23 sonnel and mission-related costs to expand capacity and
24 expedite the orderly development, subject to environmental
25 safeguards, of the Outer Continental Shelf pursuant to the

1 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
2 seq.), including the review of applications for permits to
3 drill.

4 Of the unobligated balances available for this ac-
5 count, \$12,000,000 are permanently rescinded.

6 OIL SPILL RESEARCH

7 For necessary expenses to carry out title I, section
8 1016, title IV, sections 4202 and 4303, title VII, and title
9 VIII, section 8201 of the Oil Pollution Act of 1990,
10 \$12,700,000, which shall be derived from the Oil Spill Li-
11 ability Trust Fund, to remain available until expended.

12 OFFICE OF SURFACE MINING RECLAMATION AND
13 ENFORCEMENT

14 REGULATION AND TECHNOLOGY

15 For necessary expenses to carry out the provisions
16 of the Surface Mining Control and Reclamation Act of
17 1977, Public Law 95–87, \$113,790,000, to remain avail-
18 able until September 30, 2019: *Provided*, That appropria-
19 tions for the Office of Surface Mining Reclamation and
20 Enforcement may provide for the travel and per diem ex-
21 penses of State and tribal personnel attending Office of
22 Surface Mining Reclamation and Enforcement sponsored
23 training.

24 In addition, for costs to review, administer, and en-
25 force permits issued by the Office pursuant to section 507

1 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
2 main available until expended: *Provided*, That fees as-
3 sessed and collected by the Office pursuant to such section
4 507 shall be credited to this account as discretionary off-
5 setting collections, to remain available until expended:
6 *Provided further*, That the sum herein appropriated from
7 the general fund shall be reduced as collections are re-
8 ceived during the fiscal year, so as to result in a fiscal
9 year 2018 appropriation estimated at not more than
10 \$113,790,000.

11 ABANDONED MINE RECLAMATION FUND

12 For necessary expenses to carry out title IV of the
13 Surface Mining Control and Reclamation Act of 1977,
14 Public Law 95–87, \$24,672,000, to be derived from re-
15 ceipts of the Abandoned Mine Reclamation Fund and to
16 remain available until expended: *Provided*, That pursuant
17 to Public Law 97–365, the Department of the Interior is
18 authorized to use up to 20 percent from the recovery of
19 the delinquent debt owed to the United States Government
20 to pay for contracts to collect these debts: *Provided fur-*
21 *ther*, That funds made available under title IV of Public
22 Law 95–87 may be used for any required non-Federal
23 share of the cost of projects funded by the Federal Gov-
24 ernment for the purpose of environmental restoration re-
25 lated to treatment or abatement of acid mine drainage

1 from abandoned mines: *Provided further*, That such
2 projects must be consistent with the purposes and prior-
3 ities of the Surface Mining Control and Reclamation Act:
4 *Provided further*, That amounts provided under this head-
5 ing may be used for the travel and per diem expenses of
6 State and tribal personnel attending Office of Surface
7 Mining Reclamation and Enforcement sponsored training.

8 In addition, \$75,000,000, to remain available until
9 expended, for grants to States for reclamation of aban-
10 doned mine lands and other related activities in accord-
11 ance with the terms and conditions in the report accom-
12 panying this Act: *Provided*, That such additional amount
13 shall be used for economic and community development
14 in conjunction with the priorities in section 403(a) of the
15 Surface Mining Control and Reclamation Act of 1977 (30
16 U.S.C. 1233(a)): *Provided further*, That such additional
17 amount shall be distributed in equal amounts to the 3 Ap-
18 palachian States with the greatest amount of unfunded
19 needs to meet the priorities described in paragraphs (1)
20 and (2) of such section: *Provided further*, That such addi-
21 tional amount shall be allocated to States within 60 days
22 after the date of enactment of this Act.

1 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
2 EDUCATION
3 OPERATION OF INDIAN PROGRAMS
4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses necessary for the operation of Indian
6 programs, as authorized by law, including the Snyder Act
7 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
8 termination and Education Assistance Act of 1975 (25
9 U.S.C. 5301 et seq.), the Education Amendments of 1978
10 (25 U.S.C. 2001–2019), and the Tribally Controlled
11 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
12 \$2,362,211,000, to remain available until September 30,
13 2019, except as otherwise provided herein; of which not
14 to exceed \$8,500 may be for official reception and rep-
15 resentation expenses; of which not to exceed \$74,650,000
16 shall be for welfare assistance payments: *Provided*, That
17 in cases of designated Federal disasters, the Secretary
18 may exceed such cap, from the amounts provided herein,
19 to provide for disaster relief to Indian communities af-
20 fected by the disaster: *Provided further*, That federally rec-
21 ognized Indian tribes and tribal organizations of federally
22 recognized Indian tribes may use their tribal priority allo-
23 cations for unmet welfare assistance costs: *Provided fur-*
24 *ther*, That not to exceed \$662,570,000 for school oper-
25 ations costs of Bureau-funded schools and other education

1 programs shall become available on July 1, 2018, and
2 shall remain available until September 30, 2019: *Provided*
3 *further*, That not to exceed \$50,991,000 shall remain
4 available until expended for housing improvement, road
5 maintenance, attorney fees, litigation support, land
6 records improvement, and the Navajo-Hopi Settlement
7 Program: *Provided further*, That notwithstanding any
8 other provision of law, including but not limited to the
9 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
10 et seq.) and section 1128 of the Education Amendments
11 of 1978 (25 U.S.C. 2008), not to exceed \$80,168,000
12 within and only from such amounts made available for
13 school operations shall be available for administrative cost
14 grants associated with grants approved prior to July 1,
15 2018: *Provided further*, That any forestry funds allocated
16 to a federally recognized tribe which remain unobligated
17 as of September 30, 2019, may be transferred during fis-
18 cal year 2020 to an Indian forest land assistance account
19 established for the benefit of the holder of the funds within
20 the holder's trust fund account: *Provided further*, That
21 any such unobligated balances not so transferred shall ex-
22 pire on September 30, 2020: *Provided further*, That in
23 order to enhance the safety of Bureau field employees, the
24 Bureau may use funds to purchase uniforms or other iden-
25 tifying articles of clothing for personnel: *Provided further*,

1 That the Bureau of Indian Affairs may accept transfers
2 of funds from U.S. Customs and Border Protection to
3 supplement any other funding available for reconstruction
4 or repair of roads on the Tohono O’odham Nation.

5 CONTRACT SUPPORT COSTS

6 For payments to tribes and tribal organizations for
7 contract support costs associated with Indian Self-Deter-
8 mination and Education Assistance Act agreements with
9 the Bureau of Indian Affairs for fiscal year 2018, such
10 sums as may be necessary, which shall be available for
11 obligation through September 30, 2019: *Provided*, That
12 notwithstanding any other provision of law, no amounts
13 made available under this heading shall be available for
14 transfer to another budget account.

15 CONSTRUCTION

16 (INCLUDING TRANSFER OF FUNDS)

17 For construction, repair, improvement, and mainte-
18 nance of irrigation and power systems, buildings, utilities,
19 and other facilities, including architectural and engineer-
20 ing services by contract; acquisition of lands, and interests
21 in lands; and preparation of lands for farming, and for
22 construction of the Navajo Indian Irrigation Project pur-
23 suant to Public Law 87–483; \$202,213,000, to remain
24 available until expended: *Provided*, That such amounts as
25 may be available for the construction of the Navajo Indian

1 Irrigation Project may be transferred to the Bureau of
2 Reclamation: *Provided further*, That not to exceed 6 per-
3 cent of contract authority available to the Bureau of In-
4 dian Affairs from the Federal Highway Trust Fund may
5 be used to cover the road program management costs of
6 the Bureau: *Provided further*, That any funds provided for
7 the Safety of Dams program pursuant to the Act of No-
8 vember 2, 1921 (25 U.S.C. 13), shall be made available
9 on a nonreimbursable basis: *Provided further*, That for fis-
10 cal year 2018, in implementing new construction, replace-
11 ment facilities construction, or facilities improvement and
12 repair project grants in excess of \$100,000 that are pro-
13 vided to grant schools under Public Law 100–297, the
14 Secretary of the Interior shall use the Administrative and
15 Audit Requirements and Cost Principles for Assistance
16 Programs contained in part 12 of title 43, Code of Federal
17 Regulations, as the regulatory requirements: *Provided fur-*
18 *ther*, That such grants shall not be subject to section
19 12.61 of title 43, Code of Federal Regulations; the Sec-
20 retary and the grantee shall negotiate and determine a
21 schedule of payments for the work to be performed: *Pro-*
22 *vided further*, That in considering grant applications, the
23 Secretary shall consider whether such grantee would be
24 deficient in assuring that the construction projects con-
25 form to applicable building standards and codes and Fed-

1 eral, tribal, or State health and safety standards as re-
2 quired by section 1125(b) of Public Law 95–561 (25
3 U.S.C. 2005(b)), with respect to organizational and finan-
4 cial management capabilities: *Provided further*, That if the
5 Secretary declines a grant application, the Secretary shall
6 follow the requirements contained in section 5205(f) of
7 Public Law 100–296 (25 U.S.C. 2504(f)): *Provided fur-*
8 *ther*, That any disputes between the Secretary and any
9 grantee concerning a grant shall be subject to the disputes
10 provision in section 2508 of Public Law 100–297 (25
11 U.S.C. 2507(e)): *Provided further*, That in order to ensure
12 timely completion of construction projects, the Secretary
13 may assume control of a project and all funds related to
14 the project, if, within 18 months of the date of enactment
15 of this Act, any grantee receiving funds appropriated in
16 this Act or in any prior Act, has not completed the plan-
17 ning and design phase of the project and commenced con-
18 struction: *Provided further*, That this appropriation may
19 be reimbursed from the Office of the Special Trustee for
20 American Indians appropriation for the appropriate share
21 of construction costs for space expansion needed in agency
22 offices to meet trust reform implementation.

1 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
2 MISCELLANEOUS PAYMENTS TO INDIANS

3 For payments and necessary administrative expenses
4 for implementation of Indian land and water claim settle-
5 ments pursuant to Public Laws 99–264, 100–580, 101–
6 618, 111–11, 111–291, and 114–322, and for implemen-
7 tation of other land and water rights settlements,
8 \$55,457,000, to remain available until expended.

9 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

10 For the cost of guaranteed loans and insured loans,
11 \$9,272,000, of which \$1,252,000 is for administrative ex-
12 penses, as authorized by the Indian Financing Act of
13 1974: *Provided*, That such costs, including the cost of
14 modifying such loans, shall be as defined in section 502
15 of the Congressional Budget Act of 1974: *Provided fur-*
16 *ther*, That these funds are available to subsidize total loan
17 principal, any part of which is to be guaranteed or insured,
18 not to exceed \$123,565,389.

19 ADMINISTRATIVE PROVISIONS

20 The Bureau of Indian Affairs may carry out the oper-
21 ation of Indian programs by direct expenditure, contracts,
22 cooperative agreements, compacts, and grants, either di-
23 rectly or in cooperation with States and other organiza-
24 tions.

1 Notwithstanding Public Law 87–279 (25 U.S.C. 15),
2 the Bureau of Indian Affairs may contract for services in
3 support of the management, operation, and maintenance
4 of the Power Division of the San Carlos Irrigation Project.

5 Notwithstanding any other provision of law, no funds
6 available to the Bureau of Indian Affairs for central office
7 oversight and Executive Direction and Administrative
8 Services (except executive direction and administrative
9 services funding for Tribal Priority Allocations, regional
10 offices, and facilities operations and maintenance) shall be
11 available for contracts, grants, compacts, or cooperative
12 agreements with the Bureau of Indian Affairs under the
13 provisions of the Indian Self-Determination Act or the
14 Tribal Self-Governance Act of 1994 (Public Law 103–
15 413).

16 In the event any tribe returns appropriations made
17 available by this Act to the Bureau of Indian Affairs, this
18 action shall not diminish the Federal Government’s trust
19 responsibility to that tribe, or the government-to-govern-
20 ment relationship between the United States and that
21 tribe, or that tribe’s ability to access future appropria-
22 tions.

23 Notwithstanding any other provision of law, no funds
24 available to the Bureau of Indian Education, other than
25 the amounts provided herein for assistance to public

1 schools under 25 U.S.C. 452 et seq., shall be available to
2 support the operation of any elementary or secondary
3 school in the State of Alaska.

4 No funds available to the Bureau of Indian Edu-
5 cation shall be used to support expanded grades for any
6 school or dormitory beyond the grade structure in place
7 or approved by the Secretary of the Interior at each school
8 in the Bureau of Indian Education school system as of
9 October 1, 1995, except that the Secretary of the Interior
10 may waive this prohibition when the Secretary determines
11 such waiver is needed to support accomplishment of the
12 mission of the Bureau of Indian Education. Appropria-
13 tions made available in this or any prior Act for schools
14 funded by the Bureau shall be available, in accordance
15 with the Bureau's funding formula, only to the schools in
16 the Bureau school system as of September 1, 1996, and
17 to any school or school program that was reinstated in
18 fiscal year 2012. Funds made available under this Act
19 may not be used to establish a charter school at a Bureau-
20 funded school (as that term is defined in section 1141 of
21 the Education Amendments of 1978 (25 U.S.C. 2021)),
22 except that a charter school that is in existence on the
23 date of the enactment of this Act and that has operated
24 at a Bureau-funded school before September 1, 1999, may
25 continue to operate during that period, but only if the

1 charter school pays to the Bureau a pro rata share of
2 funds to reimburse the Bureau for the use of the real and
3 personal property (including buses and vans), the funds
4 of the charter school are kept separate and apart from
5 Bureau funds, and the Bureau does not assume any obli-
6 gation for charter school programs of the State in which
7 the school is located if the charter school loses such fund-
8 ing. Employees of Bureau-funded schools sharing a cam-
9 pus with a charter school and performing functions related
10 to the charter school's operation and employees of a char-
11 ter school shall not be treated as Federal employees for
12 purposes of chapter 171 of title 28, United States Code.

13 Notwithstanding any other provision of law, including
14 section 113 of title I of appendix C of Public Law 106–
15 113, if in fiscal year 2003 or 2004 a grantee received indi-
16 rect and administrative costs pursuant to a distribution
17 formula based on section 5(f) of Public Law 101–301, the
18 Secretary shall continue to distribute indirect and admin-
19 istrative cost funds to such grantee using the section 5(f)
20 distribution formula.

21 Funds available under this Act may not be used to
22 establish satellite locations of schools in the Bureau school
23 system as of September 1, 1996, except that the Secretary
24 may waive this prohibition in order for an Indian tribe
25 to provide language and cultural immersion educational

1 programs for non-public schools located within the juris-
2 dictional area of the tribal government which exclusively
3 serve tribal members, do not include grades beyond those
4 currently served at the existing Bureau-funded school,
5 provide an educational environment with educator pres-
6 ence and academic facilities comparable to the Bureau-
7 funded school, comply with all applicable Tribal, Federal,
8 or State health and safety standards, and the Americans
9 with Disabilities Act, and demonstrate the benefits of es-
10 tablishing operations at a satellite location in lieu of incur-
11 ring extraordinary costs, such as for transportation or
12 other impacts to students such as those caused by busing
13 students extended distances: *Provided*, That no funds
14 available under this Act may be used to fund operations,
15 maintenance, rehabilitation, construction or other facili-
16 ties-related costs for such assets that are not owned by
17 the Bureau: *Provided further*, That the term “satellite
18 school” means a school location physically separated from
19 the existing Bureau school by more than 50 miles but that
20 forms part of the existing school in all other respects.

21 DEPARTMENTAL OFFICES

22 OFFICE OF THE SECRETARY

23 DEPARTMENTAL OPERATIONS

24 For necessary expenses for management of the De-
25 partment of the Interior and for grants and cooperative

1 agreements, as authorized by law, \$122,940,000, to re-
2 main available until September 30, 2019; of which not to
3 exceed \$15,000 may be for official reception and represen-
4 tation expenses; and of which up to \$1,000,000 shall be
5 available for workers compensation payments and unem-
6 ployment compensation payments associated with the or-
7 derly closure of the United States Bureau of Mines; and
8 of which \$9,000,000 for the Office of Valuation Services
9 is to be derived from the Land and Water Conservation
10 Fund and shall remain available until expended.

11 ADMINISTRATIVE PROVISIONS

12 For fiscal year 2018, up to \$400,000 of the payments
13 authorized by chapter 69 of title 31, United States Code,
14 may be retained for administrative expenses of the Pay-
15 ments in Lieu of Taxes Program: *Provided*, That the
16 amounts provided under this Act specifically for the Pay-
17 ments in Lieu of Taxes program are the only amounts
18 available for payments authorized under chapter 69 of
19 title 31, United States Code: *Provided further*, That in the
20 event the sums appropriated for any fiscal year for pay-
21 ments pursuant to this chapter are insufficient to make
22 the full payments authorized by that chapter to all units
23 of local government, then the payment to each local gov-
24 ernment shall be made proportionally: *Provided further*,
25 That the Secretary may make adjustments to payment to

1 individual units of local government to correct for prior
2 overpayments or underpayments: *Provided further*, That
3 no payment shall be made pursuant to that chapter to oth-
4 erwise eligible units of local government if the computed
5 amount of the payment is less than \$100.

6 INSULAR AFFAIRS

7 ASSISTANCE TO TERRITORIES

8 For expenses necessary for assistance to territories
9 under the jurisdiction of the Department of the Interior
10 and other jurisdictions identified in section 104(e) of Pub-
11 lic Law 108–188, \$90,930,000, of which: (1) \$81,500,000
12 shall remain available until expended for territorial assist-
13 ance, including general technical assistance, maintenance
14 assistance, disaster assistance, coral reef initiative activi-
15 ties, and brown tree snake control and research; grants
16 to the judiciary in American Samoa for compensation and
17 expenses, as authorized by subsection (c) of the Act of
18 February 20, 1929 (48 U.S.C. 1661(c)); grants to the
19 Government of American Samoa, in addition to current
20 local revenues, for construction and support of govern-
21 mental functions; grants to the Government of the Virgin
22 Islands, as authorized by law; grants to the Government
23 of Guam, as authorized by law; and grants to the Govern-
24 ment of the Northern Mariana Islands, as authorized by
25 Public Law 94–241 (90 Stat. 272); and (2) \$9,430,000

1 shall be available until September 30, 2019, for salaries
2 and expenses of the Office of Insular Affairs: *Provided*,
3 That all financial transactions of the territorial and local
4 governments herein provided for, including such trans-
5 actions of all agencies or instrumentalities established or
6 used by such governments, may be audited by the Govern-
7 ment Accountability Office, at its discretion, in accordance
8 with chapter 35 of title 31, United States Code: *Provided*
9 *further*, That Northern Mariana Islands Covenant grant
10 funding shall be provided according to those terms of the
11 Agreement of the Special Representatives on Future
12 United States Financial Assistance for the Northern Mar-
13 iana Islands approved by Public Law 104–134: *Provided*
14 *further*, That the funds for the program of operations and
15 maintenance improvement are appropriated to institu-
16 tionalize routine operations and maintenance improvement
17 of capital infrastructure with territorial participation and
18 cost sharing to be determined by the Secretary based on
19 the grantee’s commitment to timely maintenance of its
20 capital assets: *Provided further*, That any appropriation
21 for disaster assistance under this heading in this Act or
22 previous appropriations Acts may be used as non–Federal
23 matching funds for the purpose of hazard mitigation
24 grants provided pursuant to section 404 of the Robert T.

1 Stafford Disaster Relief and Emergency Assistance Act
2 (42 U.S.C. 5170c).

3 COMPACT OF FREE ASSOCIATION

4 For grants and necessary expenses, \$3,300,000, to
5 remain available until expended, as provided for in sec-
6 tions 221(a)(2) and 233 of the Compact of Free Associa-
7 tion for the Republic of Palau; and section 221(a)(2) of
8 the Compacts of Free Association for the Government of
9 the Republic of the Marshall Islands and the Federated
10 States of Micronesia, as authorized by Public Law 99–
11 658 and Public Law 108–188.

12 ADMINISTRATIVE PROVISIONS

13 (INCLUDING TRANSFER OF FUNDS)

14 At the request of the Governor of Guam, the Sec-
15 retary may transfer discretionary funds or mandatory
16 funds provided under section 104(e) of Public Law 108–
17 188 and Public Law 104–134, that are allocated for
18 Guam, to the Secretary of Agriculture for the subsidy cost
19 of direct or guaranteed loans, plus not to exceed three per-
20 cent of the amount of the subsidy transferred for the cost
21 of loan administration, for the purposes authorized by the
22 Rural Electrification Act of 1936 and section 306(a)(1)
23 of the Consolidated Farm and Rural Development Act for
24 construction and repair projects in Guam, and such funds
25 shall remain available until expended: *Provided*, That such

1 costs, including the cost of modifying such loans, shall be
2 as defined in section 502 of the Congressional Budget Act
3 of 1974: *Provided further*, That such loans or loan guaran-
4 tees may be made without regard to the population of the
5 area, credit elsewhere requirements, and restrictions on
6 the types of eligible entities under the Rural Electrifica-
7 tion Act of 1936 and section 306(a)(1) of the Consolidated
8 Farm and Rural Development Act: *Provided further*, That
9 any funds transferred to the Secretary of Agriculture shall
10 be in addition to funds otherwise made available to make
11 or guarantee loans under such authorities.

12 OFFICE OF THE SOLICITOR

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of the Solicitor,
15 \$65,675,000.

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Inspector
19 General, \$49,952,000.

20 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

21 INDIANS

22 FEDERAL TRUST PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For the operation of trust programs for Indians by
25 direct expenditure, contracts, cooperative agreements,

1 compacts, and grants, \$119,400,000, to remain available
2 until expended, of which not to exceed \$18,990,000 from
3 this or any other Act, may be available for historical ac-
4 counting: *Provided*, That funds for trust management im-
5 provements and litigation support may, as needed, be
6 transferred to or merged with the Bureau of Indian Af-
7 fairs and Bureau of Indian Education, “Operation of In-
8 dian Programs” account; the Office of the Solie-
9 itor, “Salaries and Expenses” account; and the Office of
10 the Secretary, “Departmental Operations” account: *Pro-*
11 *vided further*, That funds made available through con-
12 tracts or grants obligated during fiscal year 2018, as au-
13 thorized by the Indian Self-Determination Act of 1975 (25
14 U.S.C. 5301 et seq.), shall remain available until expended
15 by the contractor or grantee: *Provided further*, That not-
16 withstanding any other provision of law, the Secretary
17 shall not be required to provide a quarterly statement of
18 performance for any Indian trust account that has not had
19 activity for at least 15 months and has a balance of \$15
20 or less: *Provided further*, That the Secretary shall issue
21 an annual account statement and maintain a record of any
22 such accounts and shall permit the balance in each such
23 account to be withdrawn upon the express written request
24 of the account holder: *Provided further*, That not to exceed
25 \$50,000 is available for the Secretary to make payments

1 to correct administrative errors of either disbursements
2 from or deposits to Individual Indian Money or Tribal ac-
3 counts after September 30, 2002: *Provided further*, That
4 erroneous payments that are recovered shall be credited
5 to and remain available in this account for this purpose:
6 *Provided further*, That the Secretary shall not be required
7 to reconcile Special Deposit Accounts with a balance of
8 less than \$500 unless the Office of the Special Trustee
9 receives proof of ownership from a Special Deposit Ac-
10 counts claimant: *Provided further*, That notwithstanding
11 section 102 of the American Indian Trust Fund Manage-
12 ment Reform Act of 1994 (Public Law 103–412) or any
13 other provision of law, the Secretary may aggregate the
14 trust accounts of individuals whose whereabouts are un-
15 known for a continuous period of at least five years and
16 shall not be required to generate periodic statements of
17 performance for the individual accounts: *Provided further*,
18 That with respect to the eighth proviso, the Secretary shall
19 continue to maintain sufficient records to determine the
20 balance of the individual accounts, including any accrued
21 interest and income, and such funds shall remain available
22 to the individual account holders.

1 DEPARTMENT-WIDE PROGRAMS

2 WILDLAND FIRE MANAGEMENT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for fire preparedness, fire
5 suppression operations, fire science and research, emer-
6 gency rehabilitation, fuels management activities, and
7 rural fire assistance by the Department of the Interior,
8 \$935,850,000, to remain available until expended, of
9 which not to exceed \$8,212,000 shall be for the renovation
10 or construction of fire facilities: *Provided*, That such funds
11 are also available for repayment of advances to other ap-
12 propriation accounts from which funds were previously
13 transferred for such purposes: *Provided further*, That of
14 the funds provided \$182,500,000 is for fuels management
15 activities: *Provided further*, That of the funds provided
16 \$19,948,000 is for burned area rehabilitation: *Provided*
17 *further*, That persons hired pursuant to 43 U.S.C. 1469
18 may be furnished subsistence and lodging without cost
19 from funds available from this appropriation: *Provided*
20 *further*, That notwithstanding 42 U.S.C. 1856d, sums re-
21 ceived by a bureau or office of the Department of the Inte-
22 rior for fire protection rendered pursuant to 42 U.S.C.
23 1856 et seq., protection of United States property, may
24 be credited to the appropriation from which funds were
25 expended to provide that protection, and are available

1 without fiscal year limitation: *Provided further*, That using
2 the amounts designated under this title of this Act, the
3 Secretary of the Interior may enter into procurement con-
4 tracts, grants, or cooperative agreements, for fuels man-
5 agement activities, and for training and monitoring associ-
6 ated with such fuels management activities on Federal
7 land, or on adjacent non-Federal land for activities that
8 benefit resources on Federal land: *Provided further*, That
9 the costs of implementing any cooperative agreement be-
10 tween the Federal Government and any non-Federal entity
11 may be shared, as mutually agreed on by the affected par-
12 ties: *Provided further*, That notwithstanding requirements
13 of the Competition in Contracting Act, the Secretary, for
14 purposes of fuels management activities, may obtain max-
15 imum practicable competition among: (1) local private,
16 nonprofit, or cooperative entities; (2) Youth Conservation
17 Corps crews, Public Lands Corps (Public Law 109–154),
18 or related partnerships with State, local, or nonprofit
19 youth groups; (3) small or micro-businesses; or (4) other
20 entities that will hire or train locally a significant percent-
21 age, defined as 50 percent or more, of the project work-
22 force to complete such contracts: *Provided further*, That
23 in implementing this section, the Secretary shall develop
24 written guidance to field units to ensure accountability
25 and consistent application of the authorities provided here-

1 in: *Provided further*, That funds appropriated under this
2 heading may be used to reimburse the United States Fish
3 and Wildlife Service and the National Marine Fisheries
4 Service for the costs of carrying out their responsibilities
5 under the Endangered Species Act of 1973 (16 U.S.C.
6 1531 et seq.) to consult and conference, as required by
7 section 7 of such Act, in connection with wildland fire
8 management activities: *Provided further*, That the Sec-
9 retary of the Interior may use wildland fire appropriations
10 to enter into leases of real property with local govern-
11 ments, at or below fair market value, to construct capital-
12 ized improvements for fire facilities on such leased prop-
13 erties, including but not limited to fire guard stations, re-
14 tardant stations, and other initial attack and fire support
15 facilities, and to make advance payments for any such
16 lease or for construction activity associated with the lease:
17 *Provided further*, That the Secretary of the Interior and
18 the Secretary of Agriculture may authorize the transfer
19 of funds appropriated for wildland fire management, in
20 an aggregate amount not to exceed \$50,000,000, between
21 the Departments when such transfers would facilitate and
22 expedite wildland fire management programs and projects:
23 *Provided further*, That funds provided for wildfire suppres-
24 sion shall be available for support of Federal emergency
25 response actions: *Provided further*, That funds appro-

1 priated under this heading shall be available for assistance
2 to or through the Department of State in connection with
3 forest and rangeland research, technical information, and
4 assistance in foreign countries, and, with the concurrence
5 of the Secretary of State, shall be available to support for-
6 estry, wildland fire management, and related natural re-
7 source activities outside the United States and its terri-
8 tories and possessions, including technical assistance, edu-
9 cation and training, and cooperation with United States
10 and international organizations.

11 CENTRAL HAZARDOUS MATERIALS FUND

12 For necessary expenses of the Department of the In-
13 terior and any of its component offices and bureaus for
14 the response action, including associated activities, per-
15 formed pursuant to the Comprehensive Environmental Re-
16 sponse, Compensation, and Liability Act (42 U.S.C. 9601
17 et seq.), \$10,010,000, to remain available until expended.

18 NATURAL RESOURCE DAMAGE ASSESSMENT AND

19 RESTORATION

20 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

21 To conduct natural resource damage assessment, res-
22 toration activities, and onshore oil spill preparedness by
23 the Department of the Interior necessary to carry out the
24 provisions of the Comprehensive Environmental Response,
25 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),

1 the Federal Water Pollution Control Act (33 U.S.C. 1251
2 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
3 et seq.), and 54 U.S.C. 100721 et seq., \$7,568,000, to
4 remain available until expended.

5 WORKING CAPITAL FUND

6 For the operation and maintenance of a departmental
7 financial and business management system, information
8 technology improvements of general benefit to the Depart-
9 ment, cybersecurity, and the consolidation of facilities and
10 operations throughout the Department, \$65,388,000, to
11 remain available until expended: *Provided*, That none of
12 the funds appropriated in this Act or any other Act may
13 be used to establish reserves in the Working Capital Fund
14 account other than for accrued annual leave and deprecia-
15 tion of equipment without prior approval of the Commit-
16 tees on Appropriations of the House of Representatives
17 and the Senate: *Provided further*, That the Secretary may
18 assess reasonable charges to State, local and tribal govern-
19 ment employees for training services provided by the Na-
20 tional Indian Program Training Center, other than train-
21 ing related to Public Law 93–638: *Provided further*, That
22 the Secretary may lease or otherwise provide space and
23 related facilities, equipment or professional services of the
24 National Indian Program Training Center to State, local
25 and tribal government employees or persons or organiza-

1 tions engaged in cultural, educational, or recreational ac-
2 tivities (as defined in section 3306(a) of title 40, United
3 States Code) at the prevailing rate for similar space, facili-
4 ties, equipment, or services in the vicinity of the National
5 Indian Program Training Center: *Provided further*, That
6 all funds received pursuant to the two preceding provisos
7 shall be credited to this account, shall be available until
8 expended, and shall be used by the Secretary for necessary
9 expenses of the National Indian Program Training Center:
10 *Provided further*, That the Secretary may enter into grants
11 and cooperative agreements to support the Office of Nat-
12 ural Resource Revenue's collection and disbursement of
13 royalties, fees, and other mineral revenue proceeds, as au-
14 thorized by law.

15 ADMINISTRATIVE PROVISION

16 There is hereby authorized for acquisition from avail-
17 able resources within the Working Capital Fund, aircraft
18 which may be obtained by donation, purchase or through
19 available excess surplus property: *Provided*, That existing
20 aircraft being replaced may be sold, with proceeds derived
21 or trade-in value used to offset the purchase price for the
22 replacement aircraft.

23 OFFICE OF NATURAL RESOURCES REVENUE

24 For necessary expenses for management of the collec-
25 tion and disbursement of royalties, fees, and other mineral

1 revenue proceeds, and for grants and cooperative agree-
2 ments, as authorized by law, \$137,757,000, to remain
3 available until September 30, 2019; of which \$41,727,000
4 shall remain available until expended for the purpose of
5 mineral revenue management activities: *Provided*, That
6 notwithstanding any other provision of law, \$15,000 shall
7 be available for refunds of overpayments in connection
8 with certain Indian leases in which the Secretary con-
9 curred with the claimed refund due, to pay amounts owed
10 to Indian allottees or tribes, or to correct prior unrecover-
11 able erroneous payments.

12 PAYMENTS IN LIEU OF TAXES

13 For necessary expenses for payments authorized by
14 chapter 69 of title 31, United States Code, \$465,000,000
15 shall be available for fiscal year 2018.

16 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
17 (INCLUDING TRANSFERS OF FUNDS)

18 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

19 SEC. 101. Appropriations made in this title shall be
20 available for expenditure or transfer (within each bureau
21 or office), with the approval of the Secretary, for the emer-
22 gency reconstruction, replacement, or repair of aircraft,
23 buildings, utilities, or other facilities or equipment dam-
24 aged or destroyed by fire, flood, storm, or other unavoid-
25 able causes: *Provided*, That no funds shall be made avail-

1 able under this authority until funds specifically made
2 available to the Department of the Interior for emer-
3 gencies shall have been exhausted: *Provided further*, That
4 all funds used pursuant to this section must be replenished
5 by a supplemental appropriation, which must be requested
6 as promptly as possible.

7 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

8 SEC. 102. The Secretary may authorize the expendi-
9 ture or transfer of any no year appropriation in this title,
10 in addition to the amounts included in the budget pro-
11 grams of the several agencies, for the suppression or emer-
12 gency prevention of wildland fires on or threatening lands
13 under the jurisdiction of the Department of the Interior;
14 for the emergency rehabilitation of burned-over lands
15 under its jurisdiction; for emergency actions related to po-
16 tential or actual earthquakes, floods, volcanoes, storms, or
17 other unavoidable causes; for contingency planning subse-
18 quent to actual oil spills; for response and natural resource
19 damage assessment activities related to actual oil spills or
20 releases of hazardous substances into the environment; for
21 the prevention, suppression, and control of actual or po-
22 tential grasshopper and Mormon cricket outbreaks on
23 lands under the jurisdiction of the Secretary, pursuant to
24 the authority in section 417(b) of Public Law 106–224
25 (7 U.S.C. 7717(b)); for emergency reclamation projects

1 under section 410 of Public Law 95–87; and shall trans-
2 fer, from any no year funds available to the Office of Sur-
3 face Mining Reclamation and Enforcement, such funds as
4 may be necessary to permit assumption of regulatory au-
5 thority in the event a primacy State is not carrying out
6 the regulatory provisions of the Surface Mining Act: *Pro-*
7 *vided*, That appropriations made in this title for wildland
8 fire operations shall be available for the payment of obliga-
9 tions incurred during the preceding fiscal year, and for
10 reimbursement to other Federal agencies for destruction
11 of vehicles, aircraft, or other equipment in connection with
12 their use for wildland fire operations, with such reimburse-
13 ment to be credited to appropriations currently available
14 at the time of receipt thereof: *Provided further*, That for
15 wildland fire operations, no funds shall be made available
16 under this authority until the Secretary determines that
17 funds appropriated for “wildland fire suppression” shall
18 be exhausted within 30 days: *Provided further*, That all
19 funds used pursuant to this section must be replenished
20 by a supplemental appropriation, which must be requested
21 as promptly as possible: *Provided further*, That such re-
22 plenishment funds shall be used to reimburse, on a pro
23 rata basis, accounts from which emergency funds were
24 transferred.

1 AUTHORIZED USE OF FUNDS

2 SEC. 103. Appropriations made to the Department
3 of the Interior in this title shall be available for services
4 as authorized by section 3109 of title 5, United States
5 Code, when authorized by the Secretary, in total amount
6 not to exceed \$500,000; purchase and replacement of
7 motor vehicles, including specially equipped law enforce-
8 ment vehicles; hire, maintenance, and operation of air-
9 craft; hire of passenger motor vehicles; purchase of re-
10 prints; payment for telephone service in private residences
11 in the field, when authorized under regulations approved
12 by the Secretary; and the payment of dues, when author-
13 ized by the Secretary, for library membership in societies
14 or associations which issue publications to members only
15 or at a price to members lower than to subscribers who
16 are not members.

17 AUTHORIZED USE OF FUNDS, INDIAN TRUST

18 MANAGEMENT

19 SEC. 104. Appropriations made in this Act under the
20 headings Bureau of Indian Affairs and Bureau of Indian
21 Education, and Office of the Special Trustee for American
22 Indians and any unobligated balances from prior appro-
23 priations Acts made under the same headings shall be
24 available for expenditure or transfer for Indian trust man-
25 agement and reform activities. Total funding for historical

1 accounting activities shall not exceed amounts specifically
2 designated in this Act for such purpose.

3 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
4 AFFAIRS

5 SEC. 105. Notwithstanding any other provision of
6 law, the Secretary of the Interior is authorized to redis-
7 tribute any Tribal Priority Allocation funds, including
8 tribal base funds, to alleviate tribal funding inequities by
9 transferring funds to address identified, unmet needs,
10 dual enrollment, overlapping service areas or inaccurate
11 distribution methodologies. No tribe shall receive a reduc-
12 tion in Tribal Priority Allocation funds of more than 10
13 percent in fiscal year 2018. Under circumstances of dual
14 enrollment, overlapping service areas or inaccurate dis-
15 tribution methodologies, the 10 percent limitation does not
16 apply.

17 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

18 SEC. 106. Notwithstanding any other provision of
19 law, the Secretary of the Interior is authorized to acquire
20 lands, waters, or interests therein including the use of all
21 or part of any pier, dock, or landing within the State of
22 New York and the State of New Jersey, for the purpose
23 of operating and maintaining facilities in the support of
24 transportation and accommodation of visitors to Ellis,
25 Governors, and Liberty Islands, and of other program and

1 administrative activities, by donation or with appropriated
2 funds, including franchise fees (and other monetary con-
3 sideration), or by exchange; and the Secretary is author-
4 ized to negotiate and enter into leases, subleases, conces-
5 sion contracts or other agreements for the use of such fa-
6 cilities on such terms and conditions as the Secretary may
7 determine reasonable.

8 OUTER CONTINENTAL SHELF INSPECTION FEES

9 SEC. 107. (a) In fiscal year 2018, the Secretary shall
10 collect a nonrefundable inspection fee, which shall be de-
11 posited in the “Offshore Safety and Environmental En-
12 forcement” account, from the designated operator for fa-
13 cilities subject to inspection under 43 U.S.C. 1348(c).

14 (b) Annual fees shall be collected for facilities that
15 are above the waterline, excluding drilling rigs, and are
16 in place at the start of the fiscal year. Fees for fiscal year
17 2018 shall be:

18 (1) \$10,500 for facilities with no wells, but with
19 processing equipment or gathering lines;

20 (2) \$17,000 for facilities with 1 to 10 wells,
21 with any combination of active or inactive wells; and

22 (3) \$31,500 for facilities with more than 10
23 wells, with any combination of active or inactive
24 wells.

1 (c) Fees for drilling rigs shall be assessed for all in-
2 spections completed in fiscal year 2018. Fees for fiscal
3 year 2018 shall be:

4 (1) \$30,500 per inspection for rigs operating in
5 water depths of 500 feet or more; and

6 (2) \$16,700 per inspection for rigs operating in
7 water depths of less than 500 feet.

8 (d) The Secretary shall bill designated operators
9 under subsection (b) within 60 days, with payment re-
10 quired within 30 days of billing. The Secretary shall bill
11 designated operators under subsection (c) within 30 days
12 of the end of the month in which the inspection occurred,
13 with payment required within 30 days of billing.

14 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
15 AND ENFORCEMENT REORGANIZATION

16 SEC. 108. The Secretary of the Interior, in order to
17 implement a reorganization of the Bureau of Ocean En-
18 ergy Management, Regulation and Enforcement, may
19 transfer funds among and between the successor offices
20 and bureaus affected by the reorganization only in con-
21 formance with the reprogramming guidelines described in
22 the report accompanying this Act.

1 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
2 BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

15 MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

1 EXHAUSTION OF ADMINISTRATIVE REVIEW

2 SEC. 111. Paragraph (1) of section 122(a) of division
3 E of Public Law 112–74 (125 Stat. 1013) is amended
4 by striking “fiscal years 2012 through 2020,” in the first
5 sentence and inserting “fiscal year 2012 and each fiscal
6 year thereafter,”.

7 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

8 SEC. 112. Notwithstanding any other provision of
9 law, during fiscal year 2018, in carrying out work involv-
10 ing cooperation with State, local, and tribal governments
11 or any political subdivision thereof, Indian Affairs may
12 record obligations against accounts receivable from any
13 such entities, except that total obligations at the end of
14 the fiscal year shall not exceed total budgetary resources
15 available at the end of the fiscal year.

16 SAGE-GROUSE

17 SEC. 113. None of the funds made available by this
18 or any other Act may be used by the Secretary of the Inte-
19 rior to write or issue pursuant to section 4 of the Endan-
20 gered Species Act of 1973 (16 U.S.C. 1533)—

- 21 (1) a proposed rule for greater sage-grouse
22 (*Centrocercus urophasianus*);
23 (2) a proposed rule for the Columbia basin dis-
24 tinct population segment of greater sage-grouse.

1 HUMANE TRANSFER OF EXCESS ANIMALS

2 SEC. 114. Notwithstanding any other provision of
3 law, the Secretary of the Interior may transfer excess wild
4 horses or burros that have been removed from the public
5 lands to other Federal, State, and local government agen-
6 cies for use as work animals: *Provided*, That the Secretary
7 may make any such transfer immediately upon request of
8 such Federal, State, or local government agency: *Provided*
9 *further*, That any excess animal transferred under this
10 provision shall lose its status as a wild free-roaming horse
11 or burro as defined in the Wild Free-Roaming Horses and
12 Burros Act: *Provided further*, That any Federal, State, or
13 local government agency receiving excess wild horses or
14 burros as authorized in this section shall not: destroy the
15 horses or burros in a way that results in their destruction
16 into commercial products; sell or otherwise transfer the
17 horses or burros in a way that results in their destruction
18 for processing into commercial products; or euthanize the
19 horses or burros except upon the recommendation of a li-
20 censed veterinarian, in cases of severe injury, illness, or
21 advanced age.

22 PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC
23 DESIGNATION

24 SEC. 115. None of the funds made available by this
25 Act may be used to make a determination of eligibility

1 or to list the Trestles Historic District, San Diego County,
2 California, on the National Register of Historic Places.

3 REISSUANCE OF FINAL RULES

4 SEC. 116. Before the end of the 60-day period begin-
5 ning on the date of the enactment of this Act, the Sec-
6 retary of the Interior shall reissue the final rule published
7 on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and
8 the final rule published on September 10, 2012 (77 Fed.
9 Reg. 55530 et seq.), without regard to any other provision
10 of statute or regulation that applies to issuance of such
11 rules. Such reissuances (including this section) shall not
12 be subject to judicial review.

13 GRAY WOLVES RANGE-WIDE

14 SEC. 117. None of the funds made available by this
15 Act may be used by the Secretary of the Interior to treat
16 any gray wolf in any of the 48 contiguous States or the
17 District of Columbia as an endangered species or threat-
18 ened species under the Endangered Species Act of 1973
19 (16 U.S.C. 1531 et seq.).

20 TITLE II

21 ENVIRONMENTAL PROTECTION AGENCY

22 SCIENCE AND TECHNOLOGY

23 (INCLUDING RESCISSION OF FUNDS)

24 For science and technology, including research and
25 development activities, which shall include research and

1 development activities under the Comprehensive Environ-
2 mental Response, Compensation, and Liability Act of
3 1980; necessary expenses for personnel and related costs
4 and travel expenses; procurement of laboratory equipment
5 and supplies; and other operating expenses in support of
6 research and development, \$629,238,000, to remain avail-
7 able until September 30, 2019: *Provided*, That of the
8 funds included under this heading, \$4,100,000 shall be for
9 Research: National Priorities as specified in the report ac-
10 companying this Act: *Provided further*, That of the unobli-
11 gated balances from appropriations made available under
12 this heading, \$27,000,000 are permanently rescinded.

13 ENVIRONMENTAL PROGRAMS AND MANAGEMENT
14 (INCLUDING RESCISSION OF FUNDS)

15 For environmental programs and management, in-
16 cluding necessary expenses, not otherwise provided for, for
17 personnel and related costs and travel expenses; hire of
18 passenger motor vehicles; hire, maintenance, and oper-
19 ation of aircraft; purchase of reprints; library member-
20 ships in societies or associations which issue publications
21 to members only or at a price to members lower than to
22 subscribers who are not members; administrative costs of
23 the brownfields program under the Small Business Liabil-
24 ity Relief and Brownfields Revitalization Act of 2002; and
25 not to exceed \$19,000 for official reception and represen-

1 tation expenses, \$2,398,840,000, to remain available until
2 September 30, 2019: *Provided*, That of the amounts pro-
3 vided under this heading, the Chemical Risk Review and
4 Reduction program project shall be allocated for this fiscal
5 year, excluding the amount of any fees made available, not
6 less than the amount of appropriations for that program
7 project for fiscal year 2014: *Provided further*, That of the
8 funds included under this heading, \$12,700,000 shall be
9 for Environmental Protection: National Priorities as speci-
10 fied in the report accompanying this Act: *Provided further*,
11 That of the funds included under this heading,
12 \$402,000,000 shall be for Geographic Programs specified
13 in the report accompanying this Act: *Provided further*,
14 That of the unobligated balances from appropriations
15 made available under this heading, \$41,000,000 are per-
16 manently rescinded.

17 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
18 FUND

19 For necessary expenses to carry out section 3024 of
20 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
21 ing the development, operation, maintenance, and upgrad-
22 ing of the hazardous waste electronic manifest system es-
23 tablished by such section, \$3,674,000, to remain available
24 until September 30, 2020: *Provided*, That the sum herein
25 appropriated from the general fund shall be reduced as

1 offsetting collections under such section 3024 are received
2 during fiscal year 2018, which shall remain available until
3 expended and be used for necessary expenses in this ap-
4 propriation, so as to result in a final fiscal year 2018 ap-
5 propriation from the general fund estimated at not more
6 than \$0: *Provided further*, That to the extent such offset-
7 ting collections received in fiscal year 2018 exceed
8 \$3,674,000, those excess amounts shall remain available
9 until expended and be used for necessary expenses in this
10 appropriation.

11 OFFICE OF INSPECTOR GENERAL

12 For necessary expenses of the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, \$40,000,000, to remain available
15 until September 30, 2019.

16 BUILDINGS AND FACILITIES

17 For construction, repair, improvement, extension, al-
18 teration, and purchase of fixed equipment or facilities of,
19 or for use by, the Environmental Protection Agency,
20 \$39,553,000, to remain available until expended.

21 HAZARDOUS SUBSTANCE SUPERFUND

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses to carry out the Comprehen-
24 sive Environmental Response, Compensation, and Liabil-
25 ity Act of 1980 (CERCLA), including sections 111(c)(3),

1 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
2 \$1,116,374,000, to remain available until expended, con-
3 sisting of such sums as are available in the Trust Fund
4 on September 30, 2017, as authorized by section 517(a)
5 of the Superfund Amendments and Reauthorization Act
6 of 1986 (SARA) and up to \$1,116,374,000 as a payment
7 from general revenues to the Hazardous Substance Super-
8 fund for purposes as authorized by section 517(b) of
9 SARA: *Provided*, That funds appropriated under this
10 heading may be allocated to other Federal agencies in ac-
11 cordance with section 111(a) of CERCLA: *Provided fur-*
12 *ther*, That of the funds appropriated under this heading,
13 \$7,778,000 shall be paid to the “Office of Inspector Gen-
14 eral” appropriation to remain available until September
15 30, 2019, and \$15,496,000 shall be paid to the “Science
16 and Technology” appropriation to remain available until
17 September 30, 2019.

18 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
19 PROGRAM

20 For necessary expenses to carry out leaking under-
21 ground storage tank cleanup activities authorized by sub-
22 title I of the Solid Waste Disposal Act, \$91,874,000, to
23 remain available until expended, of which \$66,505,000
24 shall be for carrying out leaking underground storage tank
25 cleanup activities authorized by section 9003(h) of the

1 Solid Waste Disposal Act; \$25,369,000 shall be for car-
2 rying out the other provisions of the Solid Waste Disposal
3 Act specified in section 9508(c) of the Internal Revenue
4 Code: *Provided*, That the Administrator is authorized to
5 use appropriations made available under this heading to
6 implement section 9013 of the Solid Waste Disposal Act
7 to provide financial assistance to federally recognized In-
8 dian tribes for the development and implementation of
9 programs to manage underground storage tanks.

10 INLAND OIL SPILL PROGRAMS

11 For expenses necessary to carry out the Environ-
12 mental Protection Agency's responsibilities under the Oil
13 Pollution Act of 1990, \$18,047,000, to be derived from
14 the Oil Spill Liability trust fund, to remain available until
15 expended.

16 STATE AND TRIBAL ASSISTANCE GRANTS

17 For environmental programs and infrastructure as-
18 sistance, including capitalization grants for State revolv-
19 ing funds and performance partnership grants,
20 \$3,288,161,000, to remain available until expended, of
21 which—

22 (1) \$1,143,887,000 shall be for making capital-
23 ization grants for the Clean Water State Revolving
24 Funds under title VI of the Federal Water Pollution
25 Control Act; and of which \$863,233,000 shall be for

1 making capitalization grants for the Drinking Water
2 State Revolving Funds under section 1452 of the
3 Safe Drinking Water Act: *Provided*, That for fiscal
4 year 2017, funds made available under this title to
5 each State for Clean Water State Revolving Fund
6 capitalization grants and for Drinking Water State
7 Revolving Fund capitalization grants may, at the
8 discretion of each State, be used for projects to ad-
9 dress green infrastructure, water or energy efficiency
10 improvements, or other environmentally innovative
11 activities: *Provided further*, That notwithstanding
12 section 603(d)(7) of the Federal Water Pollution
13 Control Act, the limitation on the amounts in a
14 State water pollution control revolving fund that
15 may be used by a State to administer the fund shall
16 not apply to amounts included as principal in loans
17 made by such fund in fiscal year 2018 and prior
18 years where such amounts represent costs of admin-
19 istering the fund to the extent that such amounts
20 are or were deemed reasonable by the Administrator,
21 accounted for separately from other assets in the
22 fund, and used for eligible purposes of the fund, in-
23 cluding administration: *Provided further*, That for
24 fiscal year 2018, notwithstanding the provisions of
25 subsections (g)(1), (h), and (l) of section 201 of the

1 Federal Water Pollution Control Act, grants made
2 under title II of such Act for American Samoa,
3 Guam, the commonwealth of the Northern Marianas,
4 the United States Virgin Islands, and the District of
5 Columbia may also be made for the purpose of pro-
6 viding assistance: (1) solely for facility plans, design
7 activities, or plans, specifications, and estimates for
8 any proposed project for the construction of treat-
9 ment works; and (2) for the construction, repair, or
10 replacement of privately owned treatment works
11 serving one or more principal residences or small
12 commercial establishments: *Provided further*, That
13 for fiscal year 2018, notwithstanding the provisions
14 of such subsections (g)(1), (h), and (l) of section
15 201 and section 518(c) of the Federal Water Pollu-
16 tion Control Act, funds reserved by the Adminis-
17 trator for grants under section 518(c) of the Federal
18 Water Pollution Control Act may also be used to
19 provide assistance: (1) solely for facility plans, de-
20 sign activities, or plans, specifications, and estimates
21 for any proposed project for the construction of
22 treatment works; and (2) for the construction, re-
23 pair, or replacement of privately owned treatment
24 works serving one or more principal residences or
25 small commercial establishments: *Provided further*,

1 That for fiscal year 2018, notwithstanding any pro-
2 vision of the Federal Water Pollution Control Act
3 and regulations issued pursuant thereof, up to a
4 total of \$2,000,000 of the funds reserved by the Ad-
5 ministrator for grants under section 518(c) of such
6 Act may also be used for grants for training, tech-
7 nical assistance, and educational programs relating
8 to the operation and management of the treatment
9 works specified in section 518(c) of such Act: *Pro-*
10 *vided further,* That for fiscal year 2018, funds re-
11 served under section 518(c) of such Act shall be
12 available for grants only to Indian tribes, as defined
13 in section 518(h) of such Act and former Indian res-
14 ervations in Oklahoma (as determined by the Sec-
15 retary of the Interior) and Native Villages as defined
16 in Public Law 92-203: *Provided further,* That for
17 fiscal year 2018, notwithstanding the limitation on
18 amounts in section 518(c) of the Federal Water Pol-
19 lution Control Act, up to a total of 2 percent of the
20 funds appropriated, or \$30,000,000, whichever is
21 greater, and notwithstanding the limitation on
22 amounts in section 1452(i) of the Safe Drinking
23 Water Act, up to a total of 2 percent of the funds
24 appropriated, or \$20,000,000, whichever is greater,
25 for State Revolving Funds under such Acts may be

1 reserved by the Administrator for grants under sec-
2 tion 518(c) and section 1452(i) of such Acts: *Pro-*
3 *vided further*, That for fiscal year 2018, notwith-
4 standing the amounts specified in section 205(c) of
5 the Federal Water Pollution Control Act, up to 1.5
6 percent of the aggregate funds appropriated for the
7 Clean Water State Revolving Fund program under
8 the Act less any sums reserved under section 518(c)
9 of the Act, may be reserved by the Administrator for
10 grants made under title II of the Federal Water Pol-
11 lution Control Act for American Samoa, Guam, the
12 Commonwealth of the Northern Marianas, and
13 United States Virgin Islands: *Provided further*, That
14 for fiscal year 2018, notwithstanding the limitations
15 on amounts specified in section 1452(j) of the Safe
16 Drinking Water Act, up to 1.5 percent of the funds
17 appropriated for the Drinking Water State Revolv-
18 ing Fund programs under the Safe Drinking Water
19 Act may be reserved by the Administrator for grants
20 made under section 1452(j) of the Safe Drinking
21 Water Act: *Provided further*, That 10 percent of the
22 funds made available under this title to each State
23 for Clean Water State Revolving Fund capitalization
24 grants and 20 percent of the funds made available
25 under this title to each State for Drinking Water

1 State Revolving Fund capitalization grants shall be
2 used by the State to provide additional subsidy to el-
3 igible recipients in the form of forgiveness of prin-
4 cipal, negative interest loans, or grants (or any com-
5 bination of these), and shall be so used by the State
6 only where such funds are provided as initial financ-
7 ing for an eligible recipient or to buy, refinance, or
8 restructure the debt obligations of eligible recipients
9 only where such debt was incurred on or after the
10 date of enactment of this Act;

11 (2) \$10,000,000 shall be for grants to the State
12 of Alaska to address drinking water and wastewater
13 infrastructure needs of rural and Alaska Native Vil-
14 lages: *Provided*, That of these funds: (A) the State
15 of Alaska shall provide a match of 25 percent; (B)
16 no more than 5 percent of the funds may be used
17 for administrative and overhead expenses; and (C)
18 the State of Alaska shall make awards consistent
19 with the Statewide priority list established in con-
20 junction with the Agency and the U.S. Department
21 of Agriculture for all water, sewer, waste disposal,
22 and similar projects carried out by the State of Alas-
23 ka that are funded under section 221 of the Federal
24 Water Pollution Control Act (33 U.S.C. 1301) or
25 the Consolidated Farm and Rural Development Act

1 (7 U.S.C. 1921 et seq.) which shall allocate not less
2 than 25 percent of the funds provided for projects
3 in regional hub communities;

4 (3) \$90,000,000 shall be to carry out section
5 104(k) of the Comprehensive Environmental Re-
6 sponse, Compensation, and Liability Act of 1980
7 (CERCLA), including grants, interagency agree-
8 ments, and associated program support costs: *Pro-*
9 *vided*, That not more than 25 percent of the amount
10 appropriated to carry out section 104(k) of
11 CERCLA shall be used for site characterization, as-
12 sessment, and remediation of facilities described in
13 section 101(39)(D)(ii)(II) of CERCLA: *Provided*
14 *further*, That at least 10 percent shall be allocated
15 for assistance in persistent poverty counties: *Pro-*
16 *vided further*, That for purposes of this section, the
17 term “persistent poverty counties” means any coun-
18 ty that has had 20 percent or more of its population
19 living in poverty over the past 30 years, as measured
20 by the 1990 and 2000 decennial censuses and the
21 most recent Small Area Income and Poverty Esti-
22 mates;

23 (4) \$75,000,000 shall be for grants under title
24 VII, subtitle G of the Energy Policy Act of 2005;

1 (5) \$40,000,000 shall be for targeted airshed
2 grants in accordance with the terms and conditions
3 in the report accompanying this Act; and

4 (6) \$1,066,041,000 shall be for grants, includ-
5 ing associated program support costs, to States, fed-
6 erally recognized tribes, interstate agencies, tribal
7 consortia, and air pollution control agencies for
8 multi-media or single media pollution prevention,
9 control and abatement and related activities, includ-
10 ing activities pursuant to the provisions set forth
11 under this heading in Public Law 104–134, and for
12 making grants under section 103 of the Clean Air
13 Act for particulate matter monitoring and data col-
14 lection activities subject to terms and conditions
15 specified by the Administrator, of which:
16 \$47,745,000 shall be for carrying out section 128 of
17 CERCLA; \$9,646,000 shall be for Environmental
18 Information Exchange Network grants, including as-
19 sociated program support costs; \$1,498,000 shall be
20 for grants to States under section 2007(f)(2) of the
21 Solid Waste Disposal Act, which shall be in addition
22 to funds appropriated under the heading “Leaking
23 Underground Storage Tank Trust Fund Program”
24 to carry out the provisions of the Solid Waste Dis-
25 posal Act specified in section 9508(c) of the Internal

1 Revenue Code other than section 9003(h) of the
2 Solid Waste Disposal Act; \$17,848,000 of the funds
3 available for grants under section 106 of the Federal
4 Water Pollution Control Act shall be for State par-
5 ticipation in national- and State-level statistical sur-
6 veys of water resources and enhancements to State
7 monitoring programs.

8 WATER INFRASTRUCTURE FINANCE AND INNOVATION
9 PROGRAM ACCOUNT

10 For the cost of direct loans and for the cost of guar-
11 anteed loans, as authorized by the Water Infrastructure
12 Finance and Innovation Act of 2014, \$25,000,000, to re-
13 main available until expended: *Provided*, That such costs,
14 including the cost of modifying such loans, shall be as de-
15 fined in section 502 of the Congressional Budget Act of
16 1974: *Provided further*, That these funds are available to
17 subsidize gross obligations for the principal amount of di-
18 rect loans, including capitalized interest, and total loan
19 principal, including capitalized interest, any part of which
20 is to be guaranteed, not to exceed \$3,049,000,000.

21 In addition, fees authorized to be collected pursuant
22 to sections 5029 and 5030 of the Water Infrastructure
23 Finance and Innovation Act of 2014 shall be deposited
24 in this account, to remain available until expended.

1 In addition, for administrative expenses to carry out
2 the direct and guaranteed loan programs, notwithstanding
3 section 5033 of the Water Infrastructure Finance and In-
4 novation Act of 2014, \$5,000,000, to remain available
5 until September 30, 2019.

6 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
7 PROTECTION AGENCY

8 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

9 For fiscal year 2018, notwithstanding 31 U.S.C.
10 6303(1) and 6305(1), the Administrator of the Environ-
11 mental Protection Agency, in carrying out the Agency's
12 function to implement directly Federal environmental pro-
13 grams required or authorized by law in the absence of an
14 acceptable tribal program, may award cooperative agree-
15 ments to federally recognized Indian tribes or Intertribal
16 consortia, if authorized by their member tribes, to assist
17 the Administrator in implementing Federal environmental
18 programs for Indian tribes required or authorized by law,
19 except that no such cooperative agreements may be award-
20 ed from funds designated for State financial assistance
21 agreements.

22 The Administrator of the Environmental Protection
23 Agency is authorized to collect and obligate pesticide reg-
24 istration service fees in accordance with section 33 of the
25 Federal Insecticide, Fungicide, and Rodenticide Act, as

1 amended by Public Law 112–177, the Pesticide Registra-
2 tion Improvement Extension Act of 2012.

3 Notwithstanding section 33(d)(2) of the Federal In-
4 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
5 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
6 mental Protection Agency may assess fees under section
7 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2018.

8 Notwithstanding any other provision of law, in addi-
9 tion to the activities specified in section 33 of the Federal
10 Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7
11 U.S.C. 136w–8), fees collected in this and prior fiscal
12 years under such section shall be available for the fol-
13 lowing activities as they relate to pesticide licensing: proc-
14 essing and review of data submitted in association with
15 a registration, information submitted pursuant to section
16 6(a)(2) of FIFRA, supplemental distributor labels, trans-
17 fers of registrations and data compensation rights, addi-
18 tional uses registered by States under section 24(c) of
19 FIFRA, data compensation petitions, review of minor
20 amendments, and notifications; laboratory support and
21 audits; administrative support; development of policy and
22 guidance; rulemaking support; information collection ac-
23 tivities; and the portions of salaries related to work in
24 these areas.

1 The Administrator is authorized to transfer up to
2 \$300,000,000 of the funds appropriated for the Great
3 Lakes Restoration Initiative under the heading “Environ-
4 mental Programs and Management” to the head of any
5 Federal department or agency, with the concurrence of
6 such head, to carry out activities that would support the
7 Great Lakes Restoration Initiative and Great Lakes
8 Water Quality Agreement programs, projects, or activities;
9 to enter into an interagency agreement with the head of
10 such Federal department or agency to carry out these ac-
11 tivities; and to make grants to governmental entities, non-
12 profit organizations, institutions, and individuals for plan-
13 ning, research, monitoring, outreach, and implementation
14 in furtherance of the Great Lakes Restoration Initiative
15 and the Great Lakes Water Quality Agreement.

16 The Administrator of the Environmental Protection
17 Agency is authorized to collect and obligate fees in accord-
18 ance with section 26(b) of the Toxic Substances Control
19 Act (15 U.S.C. 2625(b)) for fiscal year 2018.

20 The Science and Technology, Environmental Pro-
21 grams and Management, Office of Inspector General, Haz-
22 ardous Substance Superfund, and Leaking Underground
23 Storage Tank Trust Fund Program Accounts, are avail-
24 able for the construction, alteration, repair, rehabilitation,

1 and renovation of facilities, provided that the cost does
2 not exceed \$150,000 per project.

3 For fiscal year 2018, and notwithstanding section
4 518(f) of the Federal Water Pollution Control Act (33
5 U.S.C. 1377(f)), the Administrator is authorized to use
6 the amounts appropriated for any fiscal year under section
7 319 of the Act to make grants to Indian tribes pursuant
8 to sections 319(h) and 518(e) of that Act.

9 Of the unobligated balances available for the “State
10 and Tribal Assistance Grants” account, \$60,000,000 are
11 permanently rescinded: *Provided*, That no amounts may
12 be rescinded from amounts that were designated by the
13 Congress as an emergency requirement pursuant to the
14 Concurrent Resolution on the Budget or the Balanced
15 Budget and Emergency Deficit Control Act of 1985.

16 Notwithstanding the limitations on amounts in sec-
17 tion 320(i)(2)(B) of the Federal Water Pollution Control
18 Act, not less than \$1,500,000 of the funds made available
19 under this title for the National Estuary Program shall
20 be for making competitive awards described in section
21 320(g)(4).

1 TITLE III
2 RELATED AGENCIES
3 DEPARTMENT OF AGRICULTURE
4 FOREST SERVICE

5 OFFICE OF THE UNDER SECRETARY FOR NATURAL
6 RESOURCES AND ENVIRONMENT

7 For necessary expenses of the Office of the Under
8 Secretary for Natural Resources and Environment,
9 \$875,000.

10 FOREST AND RANGELAND RESEARCH

11 For necessary expenses of forest and rangeland re-
12 search as authorized by law, \$278,368,000, to remain
13 available through September 30, 2021: *Provided*, That of
14 the funds provided, \$75,037,000 is for the forest inventory
15 and analysis program.

16 STATE AND PRIVATE FORESTRY

17 For necessary expenses of cooperating with and pro-
18 viding technical and financial assistance to States, terri-
19 tories, possessions, and others, and for forest health man-
20 agement and conducting an international program as au-
21 thorized, \$198,710,000, to remain available through Sep-
22 tember 30, 2021, as authorized by law; of which
23 \$36,184,000 is to be derived from the Land and Water
24 Conservation Fund to be used for the Forest Legacy Pro-
25 gram, to remain available until expended.

1 NATIONAL FOREST SYSTEM

2 For necessary expenses of the Forest Service, not
3 otherwise provided for, for management, protection, im-
4 provement, and utilization of the National Forest System,
5 and for hazardous fuels management on or adjacent to
6 such lands as authorized by law, \$1,885,827,000, to re-
7 main available through September 30, 2021: *Provided*,
8 That of the funds provided, \$370,305,000 shall be for for-
9 est products: *Provided further*, That of the funds provided,
10 \$392,500,000 shall be for hazardous fuels management
11 activities, of which not to exceed \$15,000,000 may be used
12 to make grants, using any authorities available to the For-
13 est Service under the “State and Private Forestry” appro-
14 priation, for the purpose of creating incentives for in-
15 creased use of biomass from National Forest System
16 lands: *Provided further*, That of the funds provided, up
17 to \$15,000,000 may be used by the Secretary of Agri-
18 culture to enter into procurement contracts or cooperative
19 agreements or to issue grants for hazardous fuels manage-
20 ment activities, and for training or monitoring associated
21 with such hazardous fuels management activities on Fed-
22 eral land, or on non-Federal land if the Secretary deter-
23 mines such activities benefit resources on Federal land.
24 *Provided further*, That notwithstanding section 33 of the
25 Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012), the

1 Secretary of Agriculture, in calculating a fee for grazing
2 on a National Grassland, may provide a credit of up to
3 50 percent of the calculated fee to a Grazing Association
4 or direct permittee for a conservation practice approved
5 by the Secretary in advance of the fiscal year in which
6 the cost of the conservation practice is incurred. And, that
7 the amount credited shall remain available to the Grazing
8 Association or the direct permittee, as appropriate, in the
9 fiscal year in which the credit is made and each fiscal year
10 thereafter for use on the project for conservation practices
11 approved by the Secretary.

12 In addition, \$4,500,000, to remain available through
13 September 30, 2021, from communication site rental fees
14 established by the Forest Service for the cost of admin-
15 istering communication site activities.

16 CAPITAL IMPROVEMENT AND MAINTENANCE
17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Forest Service, not
19 otherwise provided for, \$354,733,000, to remain available
20 through September 30, 2021, for construction, capital im-
21 provement, maintenance and acquisition of buildings and
22 other facilities and infrastructure; and for construction,
23 reconstruction, decommissioning of roads that are no
24 longer needed, including unauthorized roads that are not
25 part of the transportation system, and maintenance of for-

1 est roads and trails by the Forest Service as authorized
2 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
3 *vided*, That funds becoming available in fiscal year 2018
4 under the Act of March 4, 1913 (16 U.S.C. 501) shall
5 be transferred to the General Fund of the Treasury and
6 shall not be available for transfer or obligation for any
7 other purpose unless the funds are appropriated.

8 LAND ACQUISITION

9 For expenses necessary to carry out the provisions
10 of chapter 2003 of title 54, United States Code, including
11 administrative expenses, and for acquisition of land or wa-
12 ters, or interest therein, in accordance with statutory au-
13 thority applicable to the Forest Service, \$25,000,000, to
14 be derived from the Land and Water Conservation Fund
15 and to remain available until expended.

16 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
17 ACTS

18 For acquisition of lands within the exterior bound-
19 aries of the Cache, Uinta, and Wasatch National Forests,
20 Utah; the Toiyabe National Forest, Nevada; and the An-
21 geles, San Bernardino, Sequoia, and Cleveland National
22 Forests, California; and the Ozark-St. Francis and
23 Ouachita National Forests, Arkansas; as authorized by
24 law, \$850,000, to be derived from forest receipts.

1 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

2 For acquisition of lands, such sums, to be derived
3 from funds deposited by State, county, or municipal gov-
4 ernments, public school districts, or other public school au-
5 thorities, and for authorized expenditures from funds de-
6 posited by non-Federal parties pursuant to the Sisk Act
7 (16 U.S.C. 484a), pursuant to the Land Sale and Ex-
8 change Acts (16 U.S.C. 516–617a, 555a; Public Law 96–
9 586; Public Law 76–589; and Public Law 78–310), to re-
10 main available until expended.

11 RANGE BETTERMENT FUND

12 For necessary expenses of range rehabilitation, pro-
13 tection, and improvement, 50 percent of all moneys re-
14 ceived during the prior fiscal year, as fees for grazing do-
15 mestic livestock on lands in National Forests in the 16
16 Western States, pursuant to section 401(b)(1) of the Fed-
17 eral Land Policy and Management Act of 1976 (43 U.S.C.
18 1751(b)(1)), to remain available through September 30,
19 2021, of which not to exceed 6 percent shall be available
20 for administrative expenses associated with on-the-ground
21 range rehabilitation, protection, and improvements.

22 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND

23 RANGELAND RESEARCH

24 For expenses authorized by section 4(b) of the Forest
25 and Rangeland Renewable Resources Research Act of

1 1978 (16 U.S.C. 1643(b)), \$45,000, to remain available
2 through September 30, 2021, to be derived from the fund
3 established pursuant to such Act.

4 MANAGEMENT OF NATIONAL FOREST LANDS FOR
5 SUBSISTENCE USES

6 For necessary expenses of the Forest Service to man-
7 age Federal lands in Alaska for subsistence uses under
8 title VIII of the Alaska National Interest Lands Conserva-
9 tion Act (16 U.S.C. 3111 et seq.), \$2,225,000, to remain
10 available through September 30, 2021.

11 WILDLAND FIRE MANAGEMENT
12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses for forest fire presuppression
14 activities on National Forest System lands, for emergency
15 wildland fire suppression on or adjacent to such lands or
16 other lands under fire protection agreement, emergency
17 rehabilitation of burned-over National Forest System
18 lands and water, and for State and volunteer fire assist-
19 ance, \$2,506,357,000, to remain available through Sep-
20 tember 30, 2021: *Provided*, That such funds including un-
21 obligated balances under this heading, are available for re-
22 payment of advances from other appropriations accounts
23 previously transferred for such purposes: *Provided further*,
24 That any unobligated funds appropriated in a previous fis-
25 cal year for hazardous fuels management may be trans-

1 ferred to the “National Forest System” account: *Provided*
2 *further*, That such funds shall be available to reimburse
3 State and other cooperating entities for services provided
4 in response to wildfire and other emergencies or disasters
5 to the extent such reimbursements by the Forest Service
6 for non-fire emergencies are fully repaid by the responsible
7 emergency management agency: *Provided further*, That of
8 the funds provided, \$19,290,000 is for research activities
9 and to make competitive research grants pursuant to the
10 Forest and Rangeland Renewable Resources Research
11 Act, (16 U.S.C. 1641 et seq.), \$76,011,000 is for State
12 fire assistance, and \$14,618,000 is for volunteer fire as-
13 sistance under section 10 of the Cooperative Forestry As-
14 sistance Act of 1978 (16 U.S.C. 2106): *Provided further*,
15 That amounts in this paragraph may be transferred to
16 the “Forest and Rangeland Research” account to fund
17 forest and rangeland research: *Provided further*, That the
18 costs of implementing any cooperative agreement between
19 the Federal Government and any non-Federal entity may
20 be shared, as mutually agreed on by the affected parties:
21 *Provided further*, That funds made available to implement
22 the Community Forest Restoration Act, Public Law 106–
23 393, title VI, shall be available for use on non-Federal
24 lands in accordance with authorities made available to the
25 Forest Service under the “State and Private Forestry” ap-

1 appropriation: *Provided further*, That the Secretary of the
2 Interior and the Secretary of Agriculture may authorize
3 the transfer of funds appropriated for wildland fire man-
4 agement, in an aggregate amount not to exceed
5 \$50,000,000, between the Departments when such trans-
6 fers would facilitate and expedite wildland fire manage-
7 ment programs and projects: *Provided further*, That funds
8 designated for wildfire suppression, shall be assessed for
9 cost pools on the same basis as such assessments are cal-
10 culated against other agency programs.

11 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

12 (INCLUDING TRANSFERS OF FUNDS)

13 Appropriations to the Forest Service for the current
14 fiscal year shall be available for: (1) purchase of passenger
15 motor vehicles; acquisition of passenger motor vehicles
16 from excess sources, and hire of such vehicles; purchase,
17 lease, operation, maintenance, and acquisition of aircraft
18 to maintain the operable fleet for use in Forest Service
19 wildland fire programs and other Forest Service programs;
20 notwithstanding other provisions of law, existing aircraft
21 being replaced may be sold, with proceeds derived or
22 trade-in value used to offset the purchase price for the
23 replacement aircraft; (2) services pursuant to 7 U.S.C.
24 2225, and not to exceed \$100,000 for employment under
25 5 U.S.C. 3109; (3) purchase, erection, and alteration of

1 buildings and other public improvements (7 U.S.C. 2250);
2 (4) acquisition of land, waters, and interests therein pur-
3 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
4 Volunteers in the National Forest Act of 1972 (16 U.S.C.
5 558a, 558d, and 558a note); (6) the cost of uniforms as
6 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
7 lection contracts in accordance with 31 U.S.C. 3718(c).

8 Any appropriations or funds available to the Forest
9 Service may be transferred to the Wildland Fire Manage-
10 ment appropriation for forest firefighting, emergency re-
11 habilitation of burned-over or damaged lands or waters
12 under its jurisdiction, and fire preparedness due to severe
13 burning conditions upon the Secretary’s notification of the
14 House and Senate Committees on Appropriations that all
15 fire suppression funds appropriated under the heading
16 “Wildland Fire Management” will be obligated within 30
17 days: *Provided*, That all funds used pursuant to this para-
18 graph must be replenished by a supplemental appropria-
19 tion which must be requested as promptly as possible.

20 Notwithstanding any other provision of this Act, the
21 Forest Service may transfer unobligated balances of dis-
22 cretionary funds appropriated to the Forest Service by
23 this Act to or within the Wildland Fire Management Ac-
24 count, or reprogram funds within the Wildland Fire Man-
25 agement Account, to be used for the purposes of haz-

1 arduous fuels management and emergency rehabilitation of
2 burned-over National Forest System lands and water,
3 such transferred funds shall remain available through Sep-
4 tember 30, 2021: *Provided*, That none of the funds trans-
5 ferred pursuant to this section shall be available for obli-
6 gation without written notification to and the prior ap-
7 proval of the Committees on Appropriations of both
8 Houses of Congress: *Provided further*, That this section
9 does not apply to funds derived from the Land and Water
10 Conservation Fund.

11 Funds appropriated to the Forest Service shall be
12 available for assistance to or through the Agency for Inter-
13 national Development in connection with forest and range-
14 land research, technical information, and assistance in for-
15 eign countries, and shall be available to support forestry
16 and related natural resource activities outside the United
17 States and its territories and possessions, including tech-
18 nical assistance, education and training, and cooperation
19 with United States private and international organiza-
20 tions. The Forest Service, acting for the International
21 Program, may sign direct funding agreements with foreign
22 governments and institutions as well as other domestic
23 agencies (including the United States Agency for Inter-
24 national Development, the Department of State, and the
25 Millennium Challenge Corporation), United States private

1 sector firms, institutions and organizations to provide
2 technical assistance and training programs overseas on
3 forestry and rangeland management.

4 Funds appropriated to the Forest Service shall be
5 available for expenditure or transfer to the Department
6 of the Interior, Bureau of Land Management, for removal,
7 preparation, and adoption of excess wild horses and burros
8 from National Forest System lands, and for the perform-
9 ance of cadastral surveys to designate the boundaries of
10 such lands.

11 None of the funds made available to the Forest Serv-
12 ice in this Act or any other Act with respect to any fiscal
13 year shall be subject to transfer under the provisions of
14 section 702(b) of the Department of Agriculture Organic
15 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
16 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
17 Law 107–171 (7 U.S.C. 8316(b)).

18 None of the funds available to the Forest Service may
19 be reprogrammed without the advance approval of the
20 House and Senate Committees on Appropriations in ac-
21 cordance with the reprogramming procedures contained in
22 the report accompanying this Act.

23 Not more than \$82,000,000 of funds available to the
24 Forest Service shall be transferred to the Working Capital
25 Fund of the Department of Agriculture and not more than

1 \$14,500,000 of funds available to the Forest Service shall
2 be transferred to the Department of Agriculture for De-
3 partment Reimbursable Programs, commonly referred to
4 as Greenbook charges. Nothing in this paragraph shall
5 prohibit or limit the use of reimbursable agreements re-
6 quested by the Forest Service in order to obtain services
7 from the Department of Agriculture's National Informa-
8 tion Technology Center and the Department of Agri-
9 culture's International Technology Service.

10 Of the funds available to the Forest Service, up to
11 \$5,000,000 shall be available for priority projects within
12 the scope of the approved budget, which shall be carried
13 out by the Youth Conservation Corps and shall be carried
14 out under the authority of the Public Lands Corps Act
15 of 1993 (16 U.S.C. 1701 et seq.).

16 Of the funds available to the Forest Service, \$4,000
17 is available to the Chief of the Forest Service for official
18 reception and representation expenses.

19 Pursuant to sections 405(b) and 410(b) of Public
20 Law 101-593, of the funds available to the Forest Service,
21 up to \$3,000,000 may be advanced in a lump sum to the
22 National Forest Foundation to aid conservation partner-
23 ship projects in support of the Forest Service mission,
24 without regard to when the Foundation incurs expenses,
25 for projects on or benefitting National Forest System

1 lands or related to Forest Service programs: *Provided*,
2 That of the Federal funds made available to the Founda-
3 tion, no more than \$300,000 shall be available for admin-
4 istrative expenses: *Provided further*, That the Foundation
5 shall obtain, by the end of the period of Federal financial
6 assistance, private contributions to match funds made
7 available by the Forest Service on at least a one-for-one
8 basis: *Provided further*, That the Foundation may transfer
9 Federal funds to a Federal or a non-Federal recipient for
10 a project at the same rate that the recipient has obtained
11 the non-Federal matching funds.

12 Pursuant to section 2(b)(2) of Public Law 98-244,
13 up to \$3,000,000 of the funds available to the Forest
14 Service may be advanced to the National Fish and Wildlife
15 Foundation in a lump sum to aid cost-share conservation
16 projects, without regard to when expenses are incurred,
17 on or benefitting National Forest System lands or related
18 to Forest Service programs: *Provided*, That such funds
19 shall be matched on at least a one-for-one basis by the
20 Foundation or its sub-recipients: *Provided further*, That
21 the Foundation may transfer Federal funds to a Federal
22 or non-Federal recipient for a project at the same rate
23 that the recipient has obtained the non-Federal matching
24 funds.

1 Funds appropriated to the Forest Service shall be
2 available for interactions with and providing technical as-
3 sistance to rural communities and natural resource-based
4 businesses for sustainable rural development purposes.

5 Funds appropriated to the Forest Service shall be
6 available for payments to counties within the Columbia
7 River Gorge National Scenic Area, pursuant to section
8 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
9 663.

10 Any funds appropriated to the Forest Service may
11 be used to meet the non-Federal share requirement in sec-
12 tion 502(c) of the Older Americans Act of 1965 (42
13 U.S.C. 3056(c)(2)).

14 Funds available to the Forest Service, not to exceed
15 \$65,000,000, shall be assessed for the purpose of per-
16 forming fire, administrative and other facilities mainte-
17 nance and decommissioning. Such assessments shall occur
18 using a square foot rate charged on the same basis the
19 agency uses to assess programs for payment of rent, utili-
20 ties, and other support services.

21 Notwithstanding any other provision of law, of any
22 appropriations or funds available to the Forest Service,
23 not to exceed \$500,000 may be used to reimburse the Of-
24 fice of the General Counsel (OGC), Department of Agri-
25 culture, for travel and related expenses incurred as a re-

1 sult of OGC assistance or participation requested by the
2 Forest Service at meetings, training sessions, management
3 reviews, land purchase negotiations and similar matters
4 unrelated to civil litigation. Future budget justifications
5 for both the Forest Service and the Department of Agri-
6 culture should clearly display the sums previously trans-
7 ferred and the sums requested for transfer.

8 An eligible individual who is employed in any project
9 funded under title V of the Older Americans Act of 1965
10 (42 U.S.C. 3056 et seq.) and administered by the Forest
11 Service shall be considered to be a Federal employee for
12 purposes of chapter 171 of title 28, United States Code.

13 Notwithstanding any other provision of this Act,
14 through the Office of Budget and Program Analysis, the
15 Forest Service shall report not later than 30 business days
16 following the close of each fiscal quarter all current and
17 prior year unobligated balances, by fiscal year, budget line
18 item and account, to the House and Senate Committees
19 on Appropriations.

20 Any unobligated balance of funds appropriated in a
21 previous fiscal year in the FLAME Wildfire Suppression
22 Reserve Fund account shall remain available through Sep-
23 tember 30, 2020.

24 The Forest Service shall submit, through the Office
25 of Budget and Program Analysis, to the Office of Manage-

1 ment and Budget a proposed system of administrative
2 control of funds for its accounts, as described in 31 U.S.C.
3 1514, not later than December 31, 2017.

4 DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES

6 INDIAN HEALTH SERVICE

7 INDIAN HEALTH SERVICES

8 For expenses necessary to carry out the Act of Au-
9 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
10 tion and Education Assistance Act, the Indian Health
11 Care Improvement Act, and titles II and III of the Public
12 Health Service Act with respect to the Indian Health Serv-
13 ice, \$3,867,260,000, together with payments received dur-
14 ing the fiscal year pursuant to sections 231(b) and 233
15 of the Public Health Service Act (42 U.S.C. 238(b),
16 238b), for services furnished by the Indian Health Service:
17 *Provided*, That funds made available to tribes and tribal
18 organizations through contracts, grant agreements, or any
19 other agreements or compacts authorized by the Indian
20 Self-Determination and Education Assistance Act of 1975
21 (25 U.S.C. 450), shall be deemed to be obligated at the
22 time of the grant or contract award and thereafter shall
23 remain available to the tribe or tribal organization without
24 fiscal year limitation: *Provided further*, That \$2,000,000
25 shall be available for grants or contracts with public or

1 private institutions to provide alcohol or drug treatment
2 services to Indians, including alcohol detoxification serv-
3 ices: *Provided further*, That \$928,830,000 for Purchased/
4 Referred Care, including \$53,000,000 for the Indian Cat-
5 astrophic Health Emergency Fund, shall remain available
6 until expended: *Provided further*, That of the funds pro-
7 vided, up to \$36,000,000 shall remain available until ex-
8 pended for implementation of the loan repayment program
9 under section 108 of the Indian Health Care Improvement
10 Act: *Provided further* That of the funds provided,
11 \$11,000,000 shall remain available until expended to sup-
12 plement funds available for operational costs at tribal clin-
13 ics operated under an Indian Self-Determination and Edu-
14 cation Assistance Act compact or contract where health
15 care is delivered in space acquired through a full service
16 lease, which is not eligible for maintenance and improve-
17 ment and equipment funds from the Indian Health Serv-
18 ice, and \$29,000,000 shall be for costs related to or result-
19 ing from accreditation emergencies, of which up to
20 \$4,000,000 may be used to supplement amounts otherwise
21 available for Purchased/Referred Care: *Provided further*,
22 That the amounts collected by the Federal Government
23 as authorized by sections 104 and 108 of the Indian
24 Health Care Improvement Act (25 U.S.C. 1613a and
25 1616a) during the preceding fiscal year for breach of con-

1 tracts shall be deposited to the Fund authorized by section
2 108A of that Act (25 U.S.C. 1616a–1) and shall remain
3 available until expended and, notwithstanding section
4 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
5 be available to make new awards under the loan repay-
6 ment and scholarship programs under sections 104 and
7 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
8 *further*, That the amounts made available within this ac-
9 count for the Substance Abuse and Suicide Prevention
10 Program, for the Domestic Violence Prevention Program,
11 for the Zero Suicide Initiative, for aftercare pilot pro-
12 grams at Youth Regional Treatment Centers, to improve
13 collections from public and private insurance at Indian
14 Health Service and tribally operated facilities, and for ac-
15 creditation emergencies shall be allocated at the discretion
16 of the Director of the Indian Health Service and shall re-
17 main available until expended: *Provided further*, That
18 funds provided in this Act may be used for annual con-
19 tracts and grants for which the performance period falls
20 within 2 fiscal years, provided the total obligation is re-
21 corded in the year the funds are appropriated: *Provided*
22 *further*, That the amounts collected by the Secretary of
23 Health and Human Services under the authority of title
24 IV of the Indian Health Care Improvement Act shall re-
25 main available until expended for the purpose of achieving

1 compliance with the applicable conditions and require-
2 ments of titles XVIII and XIX of the Social Security Act,
3 except for those related to the planning, design, or con-
4 struction of new facilities: *Provided further*, That funding
5 contained herein for scholarship programs under the In-
6 dian Health Care Improvement Act shall remain available
7 until expended: *Provided further*, That amounts received
8 by tribes and tribal organizations under title IV of the In-
9 dian Health Care Improvement Act shall be reported and
10 accounted for and available to the receiving tribes and
11 tribal organizations until expended: *Provided further*, That
12 the Bureau of Indian Affairs may collect from the Indian
13 Health Service, and from tribes and tribal organizations
14 operating health facilities pursuant to Public Law 93-638,
15 such individually identifiable health information relating
16 to disabled children as may be necessary for the purpose
17 of carrying out its functions under the Individuals with
18 Disabilities Education Act (20 U.S.C. 1400, et seq.): *Pro-*
19 *vided further*, That of the funds provided, \$130,000,000
20 is for the Indian Health Care Improvement Fund and may
21 be used, as needed, to carry out activities typically funded
22 under the Indian Health Facilities account.

23 CONTRACT SUPPORT COSTS

24 For payments to tribes and tribal organizations for
25 contract support costs associated with Indian Self-Deter-

1 mination and Education Assistance Act agreements with
2 the Indian Health Service for fiscal year 2018, such sums
3 as may be necessary: *Provided*, That notwithstanding any
4 other provision of law, no amounts made available under
5 this heading shall be available for transfer to another
6 budget account.

7 INDIAN HEALTH FACILITIES

8 For construction, repair, maintenance, improvement,
9 and equipment of health and related auxiliary facilities,
10 including quarters for personnel; preparation of plans,
11 specifications, and drawings; acquisition of sites, purchase
12 and erection of modular buildings, and purchases of trail-
13 ers; and for provision of domestic and community sanita-
14 tion facilities for Indians, as authorized by section 7 of
15 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
16 Self-Determination Act, and the Indian Health Care Im-
17 provement Act, and for expenses necessary to carry out
18 such Acts and titles II and III of the Public Health Serv-
19 ice Act with respect to environmental health and facilities
20 support activities of the Indian Health Service,
21 \$551,643,000, to remain available until expended: *Pro-*
22 *vided*, That notwithstanding any other provision of law,
23 funds appropriated for the planning, design, construction,
24 renovation or expansion of health facilities for the benefit
25 of an Indian tribe or tribes may be used to purchase land

1 on which such facilities will be located: *Provided further*,
2 That not to exceed \$500,000 may be used by the Indian
3 Health Service to purchase TRANSAM equipment from
4 the Department of Defense for distribution to the Indian
5 Health Service and tribal facilities: *Provided further*, That
6 none of the funds appropriated to the Indian Health Serv-
7 ice may be used for sanitation facilities construction for
8 new homes funded with grants by the housing programs
9 of the United States Department of Housing and Urban
10 Development: *Provided further*, That not to exceed
11 \$2,700,000 from this account and the “Indian Health
12 Services” account may be used by the Indian Health Serv-
13 ice to obtain ambulances for the Indian Health Service
14 and tribal facilities in conjunction with an existing inter-
15 agency agreement between the Indian Health Service and
16 the General Services Administration: *Provided further*,
17 That not to exceed \$500,000 may be placed in a Demoli-
18 tion Fund, to remain available until expended, and be used
19 by the Indian Health Service for the demolition of Federal
20 buildings.

21 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

22 Appropriations provided in this Act to the Indian
23 Health Service shall be available for services as authorized
24 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
25 equivalent to the maximum rate payable for senior-level

1 positions under 5 U.S.C. 5376; hire of passenger motor
2 vehicles and aircraft; purchase of medical equipment; pur-
3 chase of reprints; purchase, renovation and erection of
4 modular buildings and renovation of existing facilities;
5 payments for telephone service in private residences in the
6 field, when authorized under regulations approved by the
7 Secretary of Health and Human Services; uniforms or al-
8 lowances therefor as authorized by 5 U.S.C. 5901–5902;
9 and for expenses of attendance at meetings that relate to
10 the functions or activities of the Indian Health Service:
11 *Provided*, That in accordance with the provisions of the
12 Indian Health Care Improvement Act, non-Indian patients
13 may be extended health care at all tribally administered
14 or Indian Health Service facilities, subject to charges, and
15 the proceeds along with funds recovered under the Federal
16 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
17 be credited to the account of the facility providing the
18 service and shall be available without fiscal year limitation:
19 *Provided further*, That notwithstanding any other law or
20 regulation, funds transferred from the Department of
21 Housing and Urban Development to the Indian Health
22 Service shall be administered under Public Law 86–121,
23 the Indian Sanitation Facilities Act and Public Law 93–
24 638: *Provided further*, That funds appropriated to the In-
25 dian Health Service in this Act, except those used for ad-

1 ministrative and program direction purposes, shall not be
2 subject to limitations directed at curtailing Federal travel
3 and transportation: *Provided further*, That none of the
4 funds made available to the Indian Health Service in this
5 Act shall be used for any assessments or charges by the
6 Department of Health and Human Services unless identi-
7 fied in the budget justification and provided in this Act,
8 or approved by the House and Senate Committees on Ap-
9 propriations through the reprogramming process: *Pro-*
10 *vided further*, That notwithstanding any other provision
11 of law, funds previously or herein made available to a tribe
12 or tribal organization through a contract, grant, or agree-
13 ment authorized by title I or title V of the Indian Self-
14 Determination and Education Assistance Act of 1975 (25
15 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may
16 be deobligated and reobligated to a self-determination con-
17 tract under title I, or a self-governance agreement under
18 title V of such Act and thereafter shall remain available
19 to the tribe or tribal organization without fiscal year limi-
20 tation: *Provided further*, That none of the funds made
21 available to the Indian Health Service in this Act shall
22 be used to implement the final rule published in the Fed-
23 eral Register on September 16, 1987, by the Department
24 of Health and Human Services, relating to the eligibility
25 for the health care services of the Indian Health Service

1 until the Indian Health Service has submitted a budget
2 request reflecting the increased costs associated with the
3 proposed final rule, and such request has been included
4 in an appropriations Act and enacted into law: *Provided*
5 *further*, That with respect to functions transferred by the
6 Indian Health Service to tribes or tribal organizations, the
7 Indian Health Service is authorized to provide goods and
8 services to those entities on a reimbursable basis, includ-
9 ing payments in advance with subsequent adjustment, and
10 the reimbursements received therefrom, along with the
11 funds received from those entities pursuant to the Indian
12 Self-Determination Act, may be credited to the same or
13 subsequent appropriation account from which the funds
14 were originally derived, with such amounts to remain
15 available until expended: *Provided further*, That reim-
16 bursements for training, technical assistance, or services
17 provided by the Indian Health Service will contain total
18 costs, including direct, administrative, and overhead costs
19 associated with the provision of goods, services, or tech-
20 nical assistance: *Provided further*, That the appropriation
21 structure for the Indian Health Service may not be altered
22 without advance notification to the House and Senate
23 Committees on Appropriations.

1 NATIONAL INSTITUTES OF HEALTH

2 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

3 SCIENCES

4 For necessary expenses for the National Institute of
5 Environmental Health Sciences in carrying out activities
6 set forth in section 311(a) of the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
9 Superfund Amendments and Reauthorization Act of 1986,
10 \$75,370,000.

11 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

12 REGISTRY

13 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

14 HEALTH

15 For necessary expenses for the Agency for Toxic Sub-
16 stances and Disease Registry (ATSDR) in carrying out
17 activities set forth in sections 104(i) and 111(c)(4) of the
18 Comprehensive Environmental Response, Compensation,
19 and Liability Act of 1980 (CERCLA) and section 3019
20 of the Solid Waste Disposal Act, \$72,780,000: *Provided,*
21 That notwithstanding any other provision of law, in lieu
22 of performing a health assessment under section 104(i)(6)
23 of CERCLA, the Administrator of ATSDR may conduct
24 other appropriate health studies, evaluations, or activities,
25 including, without limitation, biomedical testing, clinical

1 evaluations, medical monitoring, and referral to accredited
2 healthcare providers: *Provided further*, That in performing
3 any such health assessment or health study, evaluation,
4 or activity, the Administrator of ATSDR shall not be
5 bound by the deadlines in section 104(i)(6)(A) of
6 CERCLA: *Provided further*, That none of the funds appro-
7 priated under this heading shall be available for ATSDR
8 to issue in excess of 40 toxicological profiles pursuant to
9 section 104(i) of CERCLA during fiscal year 2018, and
10 existing profiles may be updated as necessary.

11 OTHER RELATED AGENCIES

12 EXECUTIVE OFFICE OF THE PRESIDENT

13 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

14 ENVIRONMENTAL QUALITY

15 For necessary expenses to continue functions as-
16 signed to the Council on Environmental Quality and Office
17 of Environmental Quality pursuant to the National Envi-
18 ronmental Policy Act of 1969, the Environmental Quality
19 Improvement Act of 1970, and Reorganization Plan No.
20 1 of 1977, and not to exceed \$750 for official reception
21 and representation expenses, \$2,994,000: *Provided*, That
22 notwithstanding section 202 of the National Environ-
23 mental Policy Act of 1970, the Council shall consist of
24 one member, appointed by the President, by and with the

1 advice and consent of the Senate, serving as chairman and
2 exercising all powers, functions, and duties of the Council.

3 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses in carrying out activities pur-
6 suant to section 112(r)(6) of the Clean Air Act, including
7 hire of passenger vehicles, uniforms or allowances there-
8 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
9 ices authorized by 5 U.S.C. 3109 but at rates for individ-
10 uals not to exceed the per diem equivalent to the maximum
11 rate payable for senior level positions under 5 U.S.C.
12 5376, \$11,000,000: *Provided*, That the Chemical Safety
13 and Hazard Investigation Board (Board) shall have not
14 more than three career Senior Executive Service positions:
15 *Provided further*, That notwithstanding any other provi-
16 sion of law, the individual appointed to the position of In-
17 spector General of the Environmental Protection Agency
18 (EPA) shall, by virtue of such appointment, also hold the
19 position of Inspector General of the Board: *Provided fur-*
20 *ther*, That notwithstanding any other provision of law, the
21 Inspector General of the Board shall utilize personnel of
22 the Office of Inspector General of EPA in performing the
23 duties of the Inspector General of the Board, and shall
24 not appoint any individuals to positions within the Board.

1 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of Navajo and
5 Hopi Indian Relocation as authorized by Public Law 93–
6 531, \$15,431,000, to remain available until expended:
7 *Provided*, That funds provided in this or any other appro-
8 priations Act are to be used to relocate eligible individuals
9 and groups including evictees from District 6, Hopi-parti-
10 tioned lands residents, those in significantly substandard
11 housing, and all others certified as eligible and not in-
12 cluded in the preceding categories: *Provided further*, That
13 none of the funds contained in this or any other Act may
14 be used by the Office of Navajo and Hopi Indian Reloca-
15 tion to evict any single Navajo or Navajo family who, as
16 of November 30, 1985, was physically domiciled on the
17 lands partitioned to the Hopi Tribe unless a new or re-
18 placement home is provided for such household: *Provided*
19 *further*, That no relocatee will be provided with more than
20 one new or replacement home: *Provided further*, That the
21 Office shall relocate any certified eligible relocatees who
22 have selected and received an approved homesite on the
23 Navajo reservation or selected a replacement residence off
24 the Navajo reservation or on the land acquired pursuant
25 to section 11 of Public Law 93–531 (88 Stat. 1716): *Pro-*

1 *vided further*, That \$200,000 shall be transferred to the
2 Office of Inspector General of the Department of the Inte-
3 rior, to remain available until expended, for audits and
4 investigations of the Office of Navajo and Hopi Indian Re-
5 location, consistent with the Inspector General Act of
6 1978 (5 U.S.C. App.).

7 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
8 CULTURE AND ARTS DEVELOPMENT
9 PAYMENT TO THE INSTITUTE

10 For payment to the Institute of American Indian and
11 Alaska Native Culture and Arts Development, as author-
12 ized by part A of title XV of Public Law 99–498 (20
13 U.S.C. 4411 et seq.), \$9,835,000, which shall become
14 available on July 1, 2018, and shall remain available until
15 September 30, 2019.

16 SMITHSONIAN INSTITUTION
17 SALARIES AND EXPENSES

18 For necessary expenses of the Smithsonian Institu-
19 tion, as authorized by law, including research in the fields
20 of art, science, and history; development, preservation, and
21 documentation of the National Collections; presentation of
22 public exhibits and performances; collection, preparation,
23 dissemination, and exchange of information and publica-
24 tions; conduct of education, training, and museum assist-
25 ance programs; maintenance, alteration, operation, lease

1 agreements of no more than 30 years, and protection of
2 buildings, facilities, and approaches; not to exceed
3 \$100,000 for services as authorized by 5 U.S.C. 3109; and
4 purchase, rental, repair, and cleaning of uniforms for em-
5 ployees, \$716,600,000, to remain available until Sep-
6 tember 30, 2019, except as otherwise provided herein; of
7 which not to exceed \$6,908,000 for the instrumentation
8 program, collections acquisition, exhibition reinstallation,
9 and the repatriation of skeletal remains program shall re-
10 main available until expended; and including such funds
11 as may be necessary to support American overseas re-
12 search centers: *Provided*, That funds appropriated herein
13 are available for advance payments to independent con-
14 tractors performing research services or participating in
15 official Smithsonian presentations.

16 FACILITIES CAPITAL

17 For necessary expenses of repair, revitalization, and
18 alteration of facilities owned or occupied by the Smithso-
19 nian Institution, by contract or otherwise, as authorized
20 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
21 and for construction, including necessary personnel,
22 \$168,500,000, including support for revitalization of the
23 National Air and Space Museum, to remain available until
24 expended, of which not to exceed \$10,000 shall be for serv-
25 ices as authorized by 5 U.S.C. 3109.

1 NATIONAL GALLERY OF ART
2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-
4 lery of Art, the protection and care of the works of art
5 therein, and administrative expenses incident thereto, as
6 authorized by the Act of March 24, 1937 (50 Stat. 51),
7 as amended by the public resolution of April 13, 1939
8 (Public Resolution 9, Seventy-sixth Congress), including
9 services as authorized by 5 U.S.C. 3109; payment in ad-
10 vance when authorized by the treasurer of the Gallery for
11 membership in library, museum, and art associations or
12 societies whose publications or services are available to
13 members only, or to members at a price lower than to the
14 general public; purchase, repair, and cleaning of uniforms
15 for guards, and uniforms, or allowances therefor, for other
16 employees as authorized by law (5 U.S.C. 5901–5902);
17 purchase or rental of devices and services for protecting
18 buildings and contents thereof, and maintenance, alter-
19 ation, improvement, and repair of buildings, approaches,
20 and grounds; and purchase of services for restoration and
21 repair of works of art for the National Gallery of Art by
22 contracts made, without advertising, with individuals,
23 firms, or organizations at such rates or prices and under
24 such terms and conditions as the Gallery may deem prop-
25 er, \$132,961,000, to remain available until September 30,

1 2019, of which not to exceed \$3,620,000 for the special
2 exhibition program shall remain available until expended.

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

4 For necessary expenses of repair, restoration and
5 renovation of buildings, grounds and facilities owned or
6 occupied by the National Gallery of Art, by contract or
7 otherwise, for operating lease agreements of no more than
8 10 years, with no extensions or renewals beyond the 10
9 years, that address space needs created by the ongoing
10 renovations in the Master Facilities Plan, as authorized,
11 \$22,564,000, to remain available until expended: *Pro-*
12 *vided*, That contracts awarded for environmental systems,
13 protection systems, and exterior repair or renovation of
14 buildings of the National Gallery of Art may be negotiated
15 with selected contractors and awarded on the basis of con-
16 tractor qualifications as well as price.

17 JOHN F. KENNEDY CENTER FOR THE PERFORMING
18 ARTS

19 OPERATIONS AND MAINTENANCE

20 For necessary expenses for the operation, mainte-
21 nance and security of the John F. Kennedy Center for
22 the Performing Arts, \$23,740,000.

23 CAPITAL REPAIR AND RESTORATION

24 For necessary expenses for capital repair and restora-
25 tion of the existing features of the building and site of

1 the John F. Kennedy Center for the Performing Arts,
2 \$13,000,000, to remain available until expended.

3 WOODROW WILSON INTERNATIONAL CENTER FOR
4 SCHOLARS
5 SALARIES AND EXPENSES

6 For expenses necessary in carrying out the provisions
7 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
8 1356) including hire of passenger vehicles and services as
9 authorized by 5 U.S.C. 3109, \$10,000,000, to remain
10 available until September 30, 2019.

11 NATIONAL FOUNDATION ON THE ARTS AND THE
12 HUMANITIES
13 NATIONAL ENDOWMENT FOR THE ARTS
14 GRANTS AND ADMINISTRATION

15 For necessary expenses to carry out the National
16 Foundation on the Arts and the Humanities Act of 1965,
17 \$145,000,000 shall be available to the National Endow-
18 ment for the Arts for the support of projects and produc-
19 tions in the arts, including arts education and public out-
20 reach activities, through assistance to organizations and
21 individuals pursuant to section 5 of the Act, for program
22 support, and for administering the functions of the Act,
23 to remain available until expended.

1 NATIONAL ENDOWMENT FOR THE HUMANITIES

2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National
4 Foundation on the Arts and the Humanities Act of 1965,
5 \$145,000,000 to remain available until expended, of which
6 \$134,000,000 shall be available for support of activities
7 in the humanities, pursuant to section 7(c) of the Act and
8 for administering the functions of the Act; and
9 \$11,000,000 shall be available to carry out the matching
10 grants program pursuant to section 10(a)(2) of the Act,
11 including \$8,700,000 for the purposes of section 7(h):
12 *Provided*, That appropriations for carrying out section
13 10(a)(2) shall be available for obligation only in such
14 amounts as may be equal to the total amounts of gifts,
15 bequests, devises of money, and other property accepted
16 by the chairman or by grantees of the National Endow-
17 ment for the Humanities under the provisions of sections
18 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
19 ceding fiscal years for which equal amounts have not pre-
20 viously been appropriated.

21 ADMINISTRATIVE PROVISIONS

22 None of the funds appropriated to the National
23 Foundation on the Arts and the Humanities may be used
24 to process any grant or contract documents which do not
25 include the text of 18 U.S.C. 1913: *Provided*, That none

1 of the funds appropriated to the National Foundation on
2 the Arts and the Humanities may be used for official re-
3 ception and representation expenses: *Provided further*,
4 That funds from nonappropriated sources may be used as
5 necessary for official reception and representation ex-
6 penses: *Provided further*, That the Chairperson of the Na-
7 tional Endowment for the Arts may approve grants of up
8 to \$10,000, if in the aggregate the amount of such grants
9 does not exceed 5 percent of the sums appropriated for
10 grantmaking purposes per year: *Provided further*, That
11 such small grant actions are taken pursuant to the terms
12 of an expressed and direct delegation of authority from
13 the National Council on the Arts to the Chairperson.

14 COMMISSION OF FINE ARTS

15 SALARIES AND EXPENSES

16 For expenses of the Commission of Fine Arts under
17 chapter 91 of title 40, United States Code, \$2,600,000:
18 *Provided*, That the Commission is authorized to charge
19 fees to cover the full costs of its publications, and such
20 fees shall be credited to this account as an offsetting col-
21 lection, to remain available until expended without further
22 appropriation: *Provided further*, That the Commission is
23 authorized to accept gifts, including objects, papers, art-
24 work, drawings and artifacts, that pertain to the history
25 and design of the Nation's Capital or the history and ac-

1 tivities of the Commission of Fine Arts, for the purpose
2 of artistic display, study, or education: *Provided further*,
3 That one-tenth of one percent of the funds provided under
4 this heading may be used for official reception and rep-
5 resentation expenses.

6 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

7 For necessary expenses as authorized by Public Law
8 99–190 (20 U.S.C. 956a), \$2,000,000.

9 ADVISORY COUNCIL ON HISTORIC PRESERVATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Advisory Council on
12 Historic Preservation (Public Law 89–665), \$6,400,000.

13 NATIONAL CAPITAL PLANNING COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses of the National Capital Plan-
16 ning Commission under chapter 87 of title 40, United
17 States Code, including services as authorized by 5 U.S.C.
18 3109, \$7,948,000: *Provided*, That one-quarter of 1 per-
19 cent of the funds provided under this heading may be used
20 for official reception and representational expenses associ-
21 ated with hosting international visitors engaged in the
22 planning and physical development of world capitals.

1 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

2 HOLOCAUST MEMORIAL MUSEUM

3 For expenses of the Holocaust Memorial Museum, as
4 authorized by Public Law 106–292 (36 U.S.C. 2301–
5 2310), \$57,000,000, of which \$1,215,000 shall remain
6 available until September 30, 2020, for the Museum’s
7 equipment replacement program; and of which \$2,500,000
8 for the Museum’s repair and rehabilitation program and
9 \$1,264,000 for the Museum’s outreach initiatives program
10 shall remain available until expended.

11 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Dwight D. Eisenhower
14 Memorial Commission, \$1,600,000, to remain available
15 until expended.

16 CAPITAL CONSTRUCTION

17 For necessary expenses of the Dwight D. Eisenhower
18 Memorial Commission for design and construction of a
19 memorial in honor of Dwight D. Eisenhower, as author-
20 ized by Public Law 106–79, \$15,000,000, to remain avail-
21 able until expended: *Provided*, That the contract with re-
22 spect to the procurement shall contain the “availability of
23 funds” clause described in section 52.232.18 of title 48,
24 Code of Federal Regulations: *Provided further*, That the
25 funds appropriated herein shall be deemed to satisfy the

1 criteria for issuing a permit contained in 40 U.S.C.
2 8906(a)(4) and (b).

3 WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Women's Suffrage
6 Centennial Commission, as authorized by Public Law
7 115-31, \$1,000,000, to remain available until expended.

8 WORLD WAR I CENTENNIAL COMMISSION

9 SALARIES AND EXPENSES

10 For activities of the World War I Centennial Com-
11 mission as authorized by the World War I Centennial
12 Commission Act (Public Law 112-272) and the Carl
13 Levin and Howard P. "Buck" McKeon National Defense
14 Authorization Act for Fiscal Year 2015 (Public Law 113-
15 291), \$3,000,000: *Provided*, That the Commission may ac-
16 cept money, in-kind personnel services, contractual sup-
17 port, or any appropriate support from any executive
18 branch agency for activities of the Commission.

19 TITLE IV

20 GENERAL PROVISIONS

21 (INCLUDING TRANSFERS OF FUNDS)

22 RESTRICTION ON USE OF FUNDS

23 SEC. 401. No part of any appropriation contained in
24 this Act shall be available for any activity or the publica-
25 tion or distribution of literature that in any way tends to

1 promote public support or opposition to any legislative
2 proposal on which Congressional action is not complete
3 other than to communicate to Members of Congress as
4 described in 18 U.S.C. 1913.

5 OBLIGATION OF APPROPRIATIONS

6 SEC. 402. No part of any appropriation contained in
7 this Act shall remain available for obligation beyond the
8 current fiscal year unless expressly so provided herein.

9 DISCLOSURE OF ADMINISTRATIVE EXPENSES

10 SEC. 403. The amount and basis of estimated over-
11 head charges, deductions, reserves or holdbacks, including
12 working capital fund and cost pool charges, from pro-
13 grams, projects, activities and subactivities to support gov-
14 ernment-wide, departmental, agency, or bureau adminis-
15 trative functions or headquarters, regional, or central op-
16 erations shall be presented in annual budget justifications
17 and subject to approval by the Committees on Appropria-
18 tions of the House of Representatives and the Senate.
19 Changes to such estimates shall be presented to the Com-
20 mittees on Appropriations for approval.

21 MINING APPLICATIONS

22 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
23 funds appropriated or otherwise made available pursuant
24 to this Act shall be obligated or expended to accept or

1 process applications for a patent for any mining or mill
2 site claim located under the general mining laws.

3 (b) EXCEPTIONS.—Subsection (a) shall not apply if
4 the Secretary of the Interior determines that, for the claim
5 concerned (1) a patent application was filed with the Sec-
6 retary on or before September 30, 1994; and (2) all re-
7 quirements established under sections 2325 and 2326 of
8 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
9 lode claims, sections 2329, 2330, 2331, and 2333 of the
10 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
11 claims, and section 2337 of the Revised Statutes (30
12 U.S.C. 42) for mill site claims, as the case may be, were
13 fully complied with by the applicant by that date.

14 (c) REPORT.—On September 30, 2019, the Secretary
15 of the Interior shall file with the House and Senate Com-
16 mittees on Appropriations and the Committee on Natural
17 Resources of the House and the Committee on Energy and
18 Natural Resources of the Senate a report on actions taken
19 by the Department under the plan submitted pursuant to
20 section 314(c) of the Department of the Interior and Re-
21 lated Agencies Appropriations Act, 1997 (Public Law
22 104–208).

23 (d) MINERAL EXAMINATIONS.—In order to process
24 patent applications in a timely and responsible manner,
25 upon the request of a patent applicant, the Secretary of

1 the Interior shall allow the applicant to fund a qualified
2 third-party contractor to be selected by the Director of the
3 Bureau of Land Management to conduct a mineral exam-
4 ination of the mining claims or mill sites contained in a
5 patent application as set forth in subsection (b). The Bu-
6 reau of Land Management shall have the sole responsi-
7 bility to choose and pay the third-party contractor in ac-
8 cordance with the standard procedures employed by the
9 Bureau of Land Management in the retention of third-
10 party contractors.

11 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

12 SEC. 405. Sections 405 and 406 of division F of the
13 Consolidated and Further Continuing Appropriations Act,
14 2015 (Public Law 113–235) shall continue in effect in fis-
15 cal year 2018.

16 CONTRACT SUPPORT COSTS, FISCAL YEAR 2018

17 LIMITATION

18 SEC. 406. Amounts provided by this Act for fiscal
19 year 2018 under the headings “Department of Health and
20 Human Services, Indian Health Service, Contract Support
21 Costs” and “Department of the Interior, Bureau of Indian
22 Affairs and Bureau of Indian Education, Contract Sup-
23 port Costs” are the only amounts available for contract
24 support costs arising out of self-determination or self-gov-
25 ernance contracts, grants, compacts, or annual funding

1 agreements for fiscal year 2018 with the Bureau of Indian
2 Affairs or the Indian Health Service: *Provided*, That such
3 amounts provided by this Act are not available for pay-
4 ment of claims for contract support costs for prior years,
5 or for repayments of payments for settlements or judg-
6 ments awarding contract support costs for prior years.

7 FOREST MANAGEMENT PLANS

8 SEC. 407. The Secretary of Agriculture shall not be
9 considered to be in violation of subparagraph 6(f)(5)(A)
10 of the Forest and Rangeland Renewable Resources Plan-
11 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
12 more than 15 years have passed without revision of the
13 plan for a unit of the National Forest System. Nothing
14 in this section exempts the Secretary from any other re-
15 quirement of the Forest and Rangeland Renewable Re-
16 sources Planning Act (16 U.S.C. 1600 et seq.) or any
17 other law: *Provided*, That if the Secretary is not acting
18 expeditiously and in good faith, within the funding avail-
19 able, to revise a plan for a unit of the National Forest
20 System, this section shall be void with respect to such plan
21 and a court of proper jurisdiction may order completion
22 of the plan on an accelerated basis.

23 PROHIBITION WITHIN NATIONAL MONUMENTS

24 SEC. 408. No funds provided in this Act may be ex-
25 pended to conduct preleasing, leasing and related activities

1 under either the Mineral Leasing Act (30 U.S.C. 181 et
2 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
3 1331 et seq.) within the boundaries of a National Monu-
4 ment established pursuant to the Act of June 8, 1906 (16
5 U.S.C. 431 et seq.) as such boundary existed on January
6 20, 2001, except where such activities are allowed under
7 the Presidential proclamation establishing such monu-
8 ment.

9
10 LIMITATION ON TAKINGS

11 SEC. 409. Unless otherwise provided herein, no funds
12 appropriated in this Act for the acquisition of lands or
13 interests in lands may be expended for the filing of dec-
14 larations of taking or complaints in condemnation without
15 the approval of the House and Senate Committees on Ap-
16 propriations: *Provided*, That this provision shall not apply
17 to funds appropriated to implement the Everglades Na-
18 tional Park Protection and Expansion Act of 1989, or to
19 funds appropriated for Federal assistance to the State of
20 Florida to acquire lands for Everglades restoration pur-
21 poses.

22
23 TIMBER SALE REQUIREMENTS

24 SEC. 410. No timber sale in Alaska's Region 10 shall
25 be advertised if the indicated rate is deficit (defined as
the value of the timber is not sufficient to cover all logging
and stumpage costs and provide a normal profit and risk

1 allowance under the Forest Service's appraisal process)
2 when appraised using a residual value appraisal. The west-
3 ern red cedar timber from those sales which is surplus
4 to the needs of the domestic processors in Alaska, shall
5 be made available to domestic processors in the contiguous
6 48 United States at prevailing domestic prices. All addi-
7 tional western red cedar volume not sold to Alaska or con-
8 tiguous 48 United States domestic processors may be ex-
9 ported to foreign markets at the election of the timber sale
10 holder. All Alaska yellow cedar may be sold at prevailing
11 export prices at the election of the timber sale holder.

12 PROHIBITION ON NO-BID CONTRACTS

13 SEC. 411. None of the funds appropriated or other-
14 wise made available by this Act to executive branch agen-
15 cies may be used to enter into any Federal contract unless
16 such contract is entered into in accordance with the re-
17 quirements of Chapter 33 of title 41, United States Code,
18 or Chapter 137 of title 10, United States Code, and the
19 Federal Acquisition Regulation, unless—

20 (1) Federal law specifically authorizes a con-
21 tract to be entered into without regard for these re-
22 quirements, including formula grants for States, or
23 federally recognized Indian tribes; or

24 (2) such contract is authorized by the Indian
25 Self-Determination and Education Assistance Act

1 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
2 any other Federal laws that specifically authorize a
3 contract within an Indian tribe as defined in section
4 4(e) of that Act (25 U.S.C. 450b(e)); or
5 (3) such contract was awarded prior to the date
6 of enactment of this Act.

7 POSTING OF REPORTS

8 SEC. 412. (a) Any agency receiving funds made avail-
9 able in this Act, shall, subject to subsections (b) and (c),
10 post on the public website of that agency any report re-
11 quired to be submitted by the Congress in this or any
12 other Act, upon the determination by the head of the agen-
13 cy that it shall serve the national interest.

14 (b) Subsection (a) shall not apply to a report if—

15 (1) the public posting of the report com-
16 promises national security; or

17 (2) the report contains proprietary information.

18 (c) The head of the agency posting such report shall
19 do so only after such report has been made available to
20 the requesting Committee or Committees of Congress for
21 no less than 45 days.

22 NATIONAL ENDOWMENT FOR THE ARTS GRANT

23 GUIDELINES

24 SEC. 413. Of the funds provided to the National En-
25 dowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

18 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

19 PRIORITIES

SEC. 414. (a) In providing services or awarding fi-
nancial assistance under the National Foundation on the
Arts and the Humanities Act of 1965 from funds appro-
priated under this Act, the Chairperson of the National
Endowment for the Arts shall ensure that priority is given
to providing services or awarding financial assistance for

1 projects, productions, workshops, or programs that serve
2 underserved populations.

3 (b) In this section:

4 (1) The term “underserved population” means
5 a population of individuals, including urban minori-
6 ties, who have historically been outside the purview
7 of arts and humanities programs due to factors such
8 as a high incidence of income below the poverty line
9 or to geographic isolation.

10 (2) The term “poverty line” means the poverty
11 line (as defined by the Office of Management and
12 Budget, and revised annually in accordance with sec-
13 tion 673(2) of the Community Services Block Grant
14 Act (42 U.S.C. 9902(2))) applicable to a family of
15 the size involved.

16 (c) In providing services and awarding financial as-
17 sistance under the National Foundation on the Arts and
18 Humanities Act of 1965 with funds appropriated by this
19 Act, the Chairperson of the National Endowment for the
20 Arts shall ensure that priority is given to providing serv-
21 ices or awarding financial assistance for projects, produc-
22 tions, workshops, or programs that will encourage public
23 knowledge, education, understanding, and appreciation of
24 the arts.

1 (d) With funds appropriated by this Act to carry out
2 section 5 of the National Foundation on the Arts and Hu-
3 manities Act of 1965—

4 (1) the Chairperson shall establish a grant cat-
5 egory for projects, productions, workshops, or pro-
6 grams that are of national impact or availability or
7 are able to tour several States;

8 (2) the Chairperson shall not make grants ex-
9 ceeding 15 percent, in the aggregate, of such funds
10 to any single State, excluding grants made under the
11 authority of paragraph (1);

12 (3) the Chairperson shall report to the Con-
13 gress annually and by State, on grants awarded by
14 the Chairperson in each grant category under sec-
15 tion 5 of such Act; and

16 (4) the Chairperson shall encourage the use of
17 grants to improve and support community-based
18 music performance and education.

19 STATUS OF BALANCES OF APPROPRIATIONS

20 SEC. 415. The Department of the Interior, the Envi-
21 ronmental Protection Agency, the Forest Service, and the
22 Indian Health Service shall provide the Committees on
23 Appropriations of the House of Representatives and Sen-
24 ate quarterly reports on the status of balances of appro-

1 priations including all uncommitted, committed, and unob-
2 ligated funds in each program and activity.

3 RECREATION FEE

4 SEC. 416. Section 810 of the Federal Lands Recre-
5 ation Enhancement Act (16 U.S.C. 6809) is amended by
6 striking “September 30, 2018” and inserting “September
7 30, 2019”.

8 PROHIBITION ON USE OF FUNDS

9 SEC. 417. Notwithstanding any other provision of
10 law, none of the funds made available in this Act or any
11 other Act may be used to promulgate or implement any
12 regulation requiring the issuance of permits under title V
13 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
14 dioxide, nitrous oxide, water vapor, or methane emissions
15 resulting from biological processes associated with live-
16 stock production.

17 GREENHOUSE GAS REPORTING RESTRICTIONS

18 SEC. 418. Notwithstanding any other provision of
19 law, none of the funds made available in this or any other
20 Act may be used to implement any provision in a rule,
21 if that provision requires mandatory reporting of green-
22 house gas emissions from manure management systems.

23 MODIFICATION OF AUTHORITIES

24 SEC. 419. Section 8162(m)(3) of the Department of
25 Defense Appropriations Act, 2000 (40 U.S.C. 8903 note;

1 Public Law 106–79) is amended by striking “September
2 30, 2017” and inserting “September 30, 2018”.

3 FUNDING PROHIBITION

4 SEC. 420. None of the funds made available by this
5 or any other Act may be used to regulate the lead content
6 of ammunition, ammunition components, or fishing tackle
7 under the Toxic Substances Control Act (15 U.S.C. 2601
8 et seq.) or any other law.

9 CONTRACTING AUTHORITIES

10 SEC. 421. Section 412 of Division E of Public Law
11 112–74 is amended by striking “fiscal year 2017” and in-
12 serting “fiscal year 2019”.

13 CHESAPEAKE BAY INITIATIVE

14 SEC. 422. Section 502(c) of the Chesapeake Bay Ini-
15 tiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461
16 note) is amended by striking “2017” and inserting
17 “2019”.

18 EXTENSION OF GRAZING PERMITS

19 SEC. 423. The terms and conditions of section 325
20 of Public Law 108–108 (117 Stat. 1307), regarding graz-
21 ing permits issued by the Forest Service on any lands not
22 subject to administration under section 402 of the Federal
23 Lands Policy and Management Act (43 U.S.C. 1752),
24 shall remain in effect for fiscal year 2018.

1 FUNDING PROHIBITION

2 SEC. 424. (a) None of the funds made available in
3 this Act may be used to maintain or establish a computer
4 network unless such network is designed to block access
5 to pornography websites.

6 (b) Nothing in subsection (a) shall limit the use of
7 funds necessary for any Federal, State, tribal, or local law
8 enforcement agency or any other entity carrying out crimi-
9 nal investigations, prosecution, or adjudication activities.

10 FOREST SERVICE FACILITY REALIGNMENT AND

11 ENHANCEMENT ACT

12 SEC. 425. Section 503(f) of the Forest Service Facil-
13 ity Realignment and Enhancement Act of 2005 (16 U.S.C.
14 580d note; Public Law 109–54) is amended by striking
15 “2016” and inserting “2018”.

16 USE OF AMERICAN IRON AND STEEL

17 SEC. 426. (a)(1) None of the funds made available
18 by a State water pollution control revolving fund as au-
19 thorized by section 1452 of the Safe Drinking Water Act
20 (42 U.S.C. 300j-12) shall be used for a project for the
21 construction, alteration, maintenance, or repair of a public
22 water system or treatment works unless all of the iron and
23 steel products used in the project are produced in the
24 United States.

1 (2) In this section, the term “iron and steel” products
2 means the following products made primarily of iron or
3 steel: lined or unlined pipes and fittings, manhole covers
4 and other municipal castings, hydrants, tanks, flanges,
5 pipe clamps and restraints, valves, structural steel, rein-
6 forced precast concrete, and construction materials.

7 (b) Subsection (a) shall not apply in any case or cat-
8 egory of cases in which the Administrator of the Environ-
9 mental Protection Agency (in this section referred to as
10 the “Administrator”) finds that—

11 (1) applying subsection (a) would be incon-
12 sistent with the public interest;

13 (2) iron and steel products are not produced in
14 the United States in sufficient and reasonably avail-
15 able quantities and of a satisfactory quality; or

16 (3) inclusion of iron and steel products pro-
17 duced in the United States will increase the cost of
18 the overall project by more than 25 percent.

19 (c) If the Administrator receives a request for a waiv-
20 er under this section, the Administrator shall make avail-
21 able to the public on an informal basis a copy of the re-
22 quest and information available to the Administrator con-
23 cerning the request, and shall allow for informal public
24 input on the request for at least 15 days prior to making
25 a finding based on the request. The Administrator shall

1 make the request and accompanying information available
2 by electronic means, including on the official public Inter-
3 net Web site of the Environmental Protection Agency.

4 (d) This section shall be applied in a manner con-
5 sistent with United States obligations under international
6 agreements.

7 (e) The Administrator may retain up to 0.25 percent
8 of the funds appropriated in this Act for the Clean and
9 Drinking Water State Revolving Funds for carrying out
10 the provisions described in subsection (a)(1) for manage-
11 ment and oversight of the requirements of this section.

12 MIDWAY ISLAND

13 SEC. 427. None of the funds made available by this
14 Act may be used to destroy any buildings or structures
15 on Midway Island that have been recommended by the
16 United States Navy for inclusion in the National Register
17 of Historic Places (54 U.S.C. 302101).

18 POLICIES RELATING TO BIOMASS ENERGY

19 SEC. 428. For fiscal year 2018 and each fiscal year
20 thereafter, to support the key role that forests in the
21 United States can play in addressing the energy needs of
22 the United States, the Secretary of Energy, the Secretary
23 of Agriculture, and the Administrator of the Environ-
24 mental Protection Agency shall, consistent with their mis-
25 sions, jointly—

1 (1) ensure that Federal policy relating to forest
2 bioenergy—

3 (A) is consistent across all Federal depart-
4 ments and agencies; and

5 (B) recognizes the full benefits of the use
6 of forest biomass for energy, conservation, and
7 responsible forest management; and

8 (2) establish clear and simple policies for the
9 use of forest biomass as an energy solution, includ-
10 ing policies that—

11 (A) reflect the carbon-neutrality of forest
12 bioenergy and recognize biomass as a renewable
13 energy source, provided the use of forest bio-
14 mass for energy production does not cause con-
15 version of forests to non-forest use.

16 (B) encourage private investment through-
17 out the forest biomass supply chain, including
18 in—

- 19 (i) working forests;
20 (ii) harvesting operations;
21 (iii) forest improvement operations;
22 (iv) forest bioenergy production;
23 (v) wood products manufacturing; or
24 (vi) paper manufacturing;

1 (C) encourage forest management to im-
2 prove forest health; and

3 (D) recognize State initiatives to produce
4 and use forest biomass.

5 JOHN F. KENNEDY CENTER REAUTHORIZATION

6 SEC. 429. Section 13 of the John F. Kennedy Center
7 Act (20 U.S.C. 76r) is amended by striking subsections
8 (a) and (b) and inserting the following:

9 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
10 There is authorized to be appropriated to the Board to
11 carry out section 4(a)(1)(H), \$24,000,000 for fiscal year
12 2018.

13 “(b) CAPITAL PROJECTS.—There is authorized to be
14 appropriated to the Board to carry out subparagraphs (F)
15 and (G) of section 4(a)(1), \$13,000,000 for fiscal year
16 2018.”.

17 CLARIFICATION OF EXEMPTIONS

18 SEC. 430. Notwithstanding section 404(f)(2) of the
19 Federal Water Pollution Control Act (33 U.S.C.
20 1344(f)(2)), none of the funds made available by this Act
21 may be used to require a permit for the discharge of
22 dredged or fill material under the Federal Water Pollution
23 Control Act (33 U.S.C. 1251 et seq.) for the activities
24 identified in subparagraphs (A) and (C) of section
25 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

1 WATERS OF THE UNITED STATES

2 SEC. 431. (a) AUTHORIZATION.—The Administrator
3 of the Environmental Protection Agency and the Secretary
4 of the Army may withdraw the Waters of the United
5 States rule without regard to any provision of statute or
6 regulation that establishes a requirement for such with-
7 drawal.

8 (b) EFFECT OF WITHDRAWAL.—Except as otherwise
9 provided by any Act or rule that takes effect after the date
10 of enactment of this Act, if the Administrator of the Envi-
11 ronmental Protection Agency and the Secretary of the
12 Army withdraw the Waters of the United States rule
13 under subsection (a), the Administrator and Secretary
14 shall implement the provisions of law under which such
15 rule was issued in accordance with the regulations and
16 guidance in effect under such provisions immediately be-
17 fore the effective date of such rule.

18 (c) DEFINITIONS.—In this section the term “Waters
19 of the United States rule” means the final rule issued by
20 the Administrator of the Environmental Protection Agen-
21 cy and the Secretary of the Army entitled “Clean Water
22 Rule: Definition of ‘Waters of the United States’” on
23 June 29, 2015 (80 Fed. Reg. 37053).

1 OZONE

2 SEC. 432. To implement the national ambient air
3 quality standards for ozone published in the Federal Reg-
4 ister on October 26, 2015 (80 Fed. Reg. 65292):

5 (1) the Governor of each State shall designate
6 areas of the State as attainment, nonattainment, or
7 unclassifiable with respect to the standards not later
8 than October 26, 2024;

9 (2) the Administrator of the Environmental
10 Protection Agency shall promulgate final designa-
11 tions for all areas in all States with respect to the
12 standards not later than October 26, 2025;

13 (3) each State shall submit the plan required by
14 section 110(a)(1) of the Clean Air Act (42 U.S.C.
15 7410(a)(1)) for the standards not later than October
16 26, 2026;

17 (4) the standards shall not apply to the review
18 and disposition of a preconstruction permit applica-
19 tion required under part C or D of title I of the
20 Clean Air Act (42 U.S.C. 7470 et seq.) if the Ad-
21 ministrator or the State, local or tribal permitting
22 authority, as applicable, has determined the applica-
23 tion to be complete prior to the date of promulgation
24 of final designations, or has published a public no-
25 tice of a preliminary determination or draft permit

1 before the date that is 60 days after the date of pro-
2 mulgation of final designations; and

3 (5) the provisions of subsections (1) through
4 (4) above shall apply notwithstanding the deadlines
5 set forth in Section 107(d) of the Clean Air Act (42
6 U.S.C. 7407(d)) and Section 110(a)(1) of the Clean
7 Air Act (42 U.S.C. 7410(a)(1)).

8 FINANCIAL ASSURANCE

9 SEC. 433. None of the funds made available by this
10 or any other Act may be used to finalize, implement, ad-
11 minister, or enforce the proposed rule entitled “Financial
12 Responsibility Requirements Under CERCLA § 108(b)
13 for Classes of Facilities in the Hardrock Mining Industry”
14 published by the Environmental Protection Agency in the
15 Federal Register on January 11, 2017 (82 Fed. Reg. 3388
16 et seq.).

17 AGRICULTURAL NUTRIENTS

18 SEC. 434. None of the funds made available by this
19 Act may be used by the Administrator of the Environ-
20 mental Protection Agency to issue any regulation under
21 the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)
22 that applies to an animal feeding operation, including a
23 concentrated animal feeding operation and a large con-
24 centrated animal feeding operation, as such terms are de-

1 fined in section 122.23 of title 40, Code of Federal Regu-
2 lations.

3 LIMITATION ON USE OF FUNDS FOR NATIONAL OCEAN
4 POLICY

5 SEC. 435. None of the funds made available by this
6 Act may be used to further implementation of the coastal
7 and marine spatial planning and ecosystem-based manage-
8 ment components of the National Ocean Policy developed
9 under Executive Order 13547.

10 HUNTING, FISHING, AND RECREATIONAL SHOOTING ON
11 FEDERAL LAND

12 SEC. 436. (a) LIMITATION ON USE OF FUNDS.—
13 None of the funds made available by this or any other
14 Act for any fiscal year may be used to prohibit the use
15 of or access to Federal land (as such term is defined in
16 section 3 of the Healthy Forests Restoration Act of 2003
17 (16 U.S.C. 6502)) for hunting, fishing, or recreational
18 shooting if such use or access—

19 (1) was not prohibited on such Federal land as
20 of January 1, 2013; and

21 (2) was conducted in compliance with the re-
22 source management plan (as defined in section 101
23 of such Act (16 U.S.C. 6511)) applicable to such
24 Federal land as of January 1, 2013.

1 (b) TEMPORARY CLOSURES ALLOWED.—Notwith-
2 standing subsection (a), the Secretary of the Interior or
3 the Secretary of Agriculture may temporarily close, for a
4 period not to exceed 30 days, Federal land managed by
5 the Secretary to hunting, fishing, or recreational shooting
6 if the Secretary determines that the temporary closure is
7 necessary to accommodate a special event or for public
8 safety reasons. The Secretary may extend a temporary clo-
9 sure for one additional 90-day period only if the Secretary
10 determines the extension is necessary because of extraor-
11 dinary weather conditions or for public safety reasons.

12 (c) AUTHORITY OF STATES.—Nothing in this section
13 shall be construed as affecting the authority, jurisdiction,
14 or responsibility of the several States to manage, control,
15 or regulate fish and resident wildlife under State law or
16 regulations.

17 AVAILABILITY OF VACANT GRAZING ALLOTMENTS

18 SEC. 437. The Secretary of the Interior, with respect
19 to public lands administered by the Bureau of Land Man-
20 agement, and the Secretary of Agriculture, with respect
21 to the National Forest System lands, shall make vacant
22 grazing allotments available to a holder of a grazing per-
23 mit or lease issued by either Secretary if the lands covered
24 by the permit or lease or other grazing lands used by the
25 holder of the permit or lease are unusable because of

1 drought or wildfire, as determined by the Secretary con-
2 cerned. The terms and conditions contained in a permit
3 or lease made available pursuant to this section shall be
4 the same as the terms and conditions of the most recent
5 permit or lease that was applicable to the vacant grazing
6 allotment made available. Section 102 of the National En-
7 vironmental Policy Act of 1969 (42 U.S.C. 4332) shall
8 not apply with respect to any Federal agency action under
9 this section.

10 WIND TURBINE FUNDING LIMITATION

11 SEC. 438. None of the funds made available by this
12 Act may be used to conduct reviews of site assessment
13 or construction and operation plans for any project that
14 would entail the construction or location of wind turbines
15 less than 24 nautical miles from the State of Maryland
16 shoreline.

17 REFERENCES TO ACT

18 SEC. 439. Except as expressly provided otherwise,
19 any reference to “this Act” contained in this division shall
20 be treated as referring only to the provisions of this divi-
21 sion.

22 REFERENCE TO REPORT

23 SEC. 440. Any reference to a “report accompanying
24 this Act” contained in this division shall be treated as a
25 reference to House Report 115–238. The effect of such
26 Report shall be limited to this division and shall apply for

1 purposes of determining the allocation of funds provided
2 by, and the implementation of, this division.

3 SPENDING REDUCTION ACCOUNT

4 SEC. 441. \$0.

5 This division may be cited as the “Department of the
6 Interior, Environment, and Related Agencies Appropria-
7 tions Act, 2018”.

8 **DIVISION B—AGRICULTURE, RURAL DE-**
9 **VELOPMENT, FOOD AND DRUG ADMIN-**
10 **ISTRATION, AND RELATED AGENCIES**
11 **APPROPRIATIONS ACT, 2018**

12 The following sums are appropriated, out of any
13 money in the Treasury not otherwise appropriated, for Ag-
14 riculture, Rural Development, Food and Drug Administra-
15 tion, and Related Agencies programs for fiscal year ending
16 September 30, 2018, and for other purposes, namely:

17 TITLE I

18 AGRICULTURAL PROGRAMS

19 PROCESSING, RESEARCH, AND MARKETING

20 OFFICE OF THE SECRETARY

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Office of the Secretary,
23 \$21,703,000, of which not to exceed \$4,850,000 shall be
24 available for the immediate Office of the Secretary; not
25 to exceed \$501,000 shall be available for the Office of

1 Tribal Relations; not to exceed \$800,000 shall be available
2 for the Assistant to the Secretary for Rural Development:
3 *Provided*, That funds made available by this Act to an
4 agency in the Rural Development mission area for salaries
5 and expenses are available to pay the salaries and ex-
6 penses of up to one administrative support staff for the
7 Assistant; not to exceed \$1,448,000 shall be available for
8 the Office of Homeland Security and Emergency Coordi-
9 nation; not to exceed \$1,171,000 shall be available for the
10 Office of Advocacy and Outreach; not to exceed
11 \$3,581,000 shall be available for the Office of the Assist-
12 ant Secretary for Administration, of which \$2,781,000
13 shall be available for Departmental Administration to pro-
14 vide for necessary expenses for management support serv-
15 ices to offices of the Department and for general adminis-
16 tration, security, repairs and alterations, and other mis-
17 cellaneous supplies and expenses not otherwise provided
18 for and necessary for the practical and efficient work of
19 the Department; not to exceed \$3,091,000 shall be avail-
20 able for the Office of Assistant Secretary for Congres-
21 sional Relations to carry out the programs funded by this
22 Act, including programs involving intergovernmental af-
23 fairs and liaison within the executive branch; and not to
24 exceed \$6,261,000 shall be available for the Office of Com-
25 munications: *Provided further*, That the Secretary of Agri-

1 culture is authorized to transfer funds appropriated for
2 any office of the Office of the Secretary to any other office
3 of the Office of the Secretary: *Provided further*, That no
4 appropriation for any office shall be increased or de-
5 creased by more than 5 percent: *Provided further*, That
6 not to exceed \$11,000 of the amount made available under
7 this paragraph for the immediate Office of the Secretary
8 shall be available for official reception and representation
9 expenses, not otherwise provided for, as determined by the
10 Secretary: *Provided further*, That the amount made avail-
11 able under this heading for Departmental Administration
12 shall be reimbursed from applicable appropriations in this
13 Act for travel expenses incident to the holding of hearings
14 as required by 5 U.S.C. 551–558: *Provided further*, That
15 funds made available under this heading for the Office of
16 the Assistant Secretary for Congressional Relations may
17 be transferred to agencies of the Department of Agri-
18 culture funded by this Act to maintain personnel at the
19 agency level: *Provided further*, That no funds made avail-
20 able under this heading for the Office of Assistant Sec-
21 retary for Congressional Relations may be obligated after
22 30 days from the date of enactment of this Act, unless
23 the Secretary has notified the Committees on Appropria-
24 tions of both Houses of Congress on the allocation of these
25 funds by USDA agency.

1 EXECUTIVE OPERATIONS

2 OFFICE OF THE CHIEF ECONOMIST

3 For necessary expenses of the Office of the Chief
4 Economist, \$16,777,000, of which \$4,000,000 shall be for
5 grants or cooperative agreements for policy research under
6 7 U.S.C. 3155.

7 OFFICE OF HEARINGS AND APPEALS

8 For necessary expenses of the Office of Hearings and
9 Appeals, \$13,399,000.

10 OFFICE OF BUDGET AND PROGRAM ANALYSIS

11 For necessary expenses of the Office of Budget and
12 Program Analysis, \$9,093,000.

13 OFFICE OF THE CHIEF INFORMATION OFFICER

14 For necessary expenses of the Office of the Chief In-
15 formation Officer, \$49,538,000, of which not less than
16 \$33,000,000 is for cybersecurity requirements of the De-
17 partment.

18 OFFICE OF THE CHIEF FINANCIAL OFFICER

19 For necessary expenses of the Office of the Chief Fi-
20 nancial Officer, \$5,836,000.

21 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

22 RIGHTS

23 For necessary expenses of the Office of the Assistant
24 Secretary for Civil Rights, \$800,000: *Provided*, That
25 funds made available by this Act to an agency in the Civil

1 Rights mission area for salaries and expenses are available
2 to pay the salaries and expenses of up to one administra-
3 tive support staff for the Office.

4 OFFICE OF CIVIL RIGHTS

5 For necessary expenses of the Office of Civil Rights,
6 \$23,304,000.

7 HAZARDOUS MATERIALS MANAGEMENT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Department of Agri-
10 culture, to comply with the Comprehensive Environmental
11 Response, Compensation, and Liability Act (42 U.S.C.
12 9601 et seq.) and the Resource Conservation and Recovery
13 Act (42 U.S.C. 6901 et seq.), \$3,503,000, to remain avail-
14 able until expended: *Provided*, That appropriations and
15 funds available herein to the Department for Hazardous
16 Materials Management may be transferred to any agency
17 of the Department for its use in meeting all requirements
18 pursuant to the above Acts on Federal and non-Federal
19 lands.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General, including employment pursuant to the Inspector
23 General Act of 1978 (Public Law 95–452; 5 U.S.C. App.),
24 \$95,628,000, including such sums as may be necessary for
25 contracting and other arrangements with public agencies

1 and private persons pursuant to section 6(a)(9) of the In-
2 spector General Act of 1978 (Public Law 95–452; 5
3 U.S.C. App.), and including not to exceed \$125,000 for
4 certain confidential operational expenses, including the
5 payment of informants, to be expended under the direction
6 of the Inspector General pursuant to the Inspector Gen-
7 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
8 section 1337 of the Agriculture and Food Act of 1981
9 (Public Law 97–98).

10 OFFICE OF THE GENERAL COUNSEL

11 For necessary expenses of the Office of the General
12 Counsel, \$42,970,000.

13 OFFICE OF ETHICS

14 For necessary expenses of the Office of Ethics,
15 \$3,945,000.

16 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
17 EDUCATION, AND ECONOMICS

18 For necessary expenses of the Office of the Under
19 Secretary for Research, Education, and Economics,
20 \$800,000: *Provided*, That funds made available by this
21 Act to an agency in the Research, Education, and Eco-
22 nomics mission area for salaries and expenses are avail-
23 able to pay the salaries and expenses of up to one adminis-
24 trative support staff for the Office.

1 ECONOMIC RESEARCH SERVICE

2 For necessary expenses of the Economic Research
3 Service, \$76,788,000.

4 NATIONAL AGRICULTURAL STATISTICS SERVICE

5 For necessary expenses of the National Agricultural
6 Statistics Service, \$183,781,000, of which up to
7 \$63,350,000 shall be available until expended for the Cen-
8 sus of Agriculture: *Provided*, That amounts made available
9 for the Census of Agriculture may be used to conduct Cur-
10 rent Industrial Report surveys subject to 7 U.S.C.
11 2204g(d) and (f).

12 AGRICULTURAL RESEARCH SERVICE

13 SALARIES AND EXPENSES

14 For necessary expenses of the Agricultural Research
15 Service and for acquisition of lands by donation, exchange,
16 or purchase at a nominal cost not to exceed \$100, and
17 for land exchanges where the lands exchanged shall be of
18 equal value or shall be equalized by a payment of money
19 to the grantor which shall not exceed 25 percent of the
20 total value of the land or interests transferred out of Fed-
21 eral ownership, \$1,132,625,000: *Provided*, That appro-
22 priations hereunder shall be available for the operation
23 and maintenance of aircraft and the purchase of not to
24 exceed one for replacement only: *Provided further*, That
25 appropriations hereunder shall be available pursuant to

1 section 703 of the Act of September 21, 1944 (7 U.S.C.
2 2250) for the construction, alteration, and repair of build-
3 ings and improvements, but unless otherwise provided, the
4 cost of constructing any one building shall not exceed
5 \$500,000, except for headhouses or greenhouses which
6 shall each be limited to \$1,800,000, except for 10 build-
7 ings to be constructed or improved at a cost not to exceed
8 \$1,100,000 each, and except for two buildings to be con-
9 structed at a cost not to exceed \$3,000,000 each, and the
10 cost of altering any one building during the fiscal year
11 shall not exceed 10 percent of the current replacement
12 value of the building or \$500,000, whichever is greater:
13 *Provided further*, That appropriations hereunder shall be
14 available for entering into lease agreements at any Agri-
15 cultural Research Service location for the construction of
16 a research facility by a non-Federal entity for use by the
17 Agricultural Research Service and a condition of the lease
18 shall be that any facility shall be owned, operated, and
19 maintained by the non-Federal entity and shall be re-
20 moved upon the expiration or termination of the lease
21 agreement: *Provided further*, That the limitations on alter-
22 ations contained in this Act shall not apply to moderniza-
23 tion or replacement of existing facilities at Beltsville,
24 Maryland: *Provided further*, That appropriations here-
25 under shall be available for granting easements at the

1 Beltsville Agricultural Research Center: *Provided further*,
2 That the foregoing limitations shall not apply to replace-
3 ment of buildings needed to carry out the Act of April
4 24, 1948 (21 U.S.C. 113a): *Provided further*, That appro-
5 priations hereunder shall be available for granting ease-
6 ments at any Agricultural Research Service location for
7 the construction of a research facility by a non-Federal
8 entity for use by, and acceptable to, the Agricultural Re-
9 search Service and a condition of the easements shall be
10 that upon completion the facility shall be accepted by the
11 Secretary, subject to the availability of funds herein, if the
12 Secretary finds that acceptance of the facility is in the
13 interest of the United States: *Provided further*, That funds
14 may be received from any State, other political subdivi-
15 sion, organization, or individual for the purpose of estab-
16 lishing or operating any research facility or research
17 project of the Agricultural Research Service, as authorized
18 by law.

19 BUILDINGS AND FACILITIES

20 For the acquisition of land, construction, repair, im-
21 provement, extension, alteration, and purchase of fixed
22 equipment or facilities as necessary to carry out the agri-
23 cultural research programs of the Department of Agri-
24 culture, where not otherwise provided, \$60,000,000 to re-
25 main available until expended.

1 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
2 RESEARCH AND EDUCATION ACTIVITIES

3 For payments to agricultural experiment stations, for
4 cooperative forestry and other research, for facilities, and
5 for other expenses, \$830,402,000, which shall be for the
6 purposes, and in the amounts, specified in the table titled
7 “National Institute of Food and Agriculture, Research
8 and Education Activities” in the report accompanying this
9 Act: *Provided*, That funds for research grants for 1994
10 institutions, education grants for 1890 institutions, the
11 agriculture and food research initiative, veterinary medi-
12 cine loan repayment, multicultural scholars, graduate fel-
13 lowship and institution challenge grants, and grants man-
14 agement systems shall remain available until expended:
15 *Provided further*, That each institution eligible to receive
16 funds under the Evans-Allen program receives no less
17 than \$1,000,000: *Provided further*, That funds for edu-
18 cation grants for Alaska Native and Native Hawaiian-
19 serving institutions be made available to individual eligible
20 institutions or consortia of eligible institutions with funds
21 awarded equally to each of the States of Alaska and Ha-
22 waii: *Provided further*, That funds for education grants for
23 1890 institutions shall be made available to institutions
24 eligible to receive funds under 7 U.S.C. 3221 and 3222:
25 *Provided further*, That not more than 5 percent of the

1 amounts made available by this or any other Act to carry
2 out the Agriculture and Food Research Initiative under
3 7 U.S.C. 450i(b) may be retained by the Secretary of Ag-
4 riculture to pay administrative costs incurred by the Sec-
5 retary in carrying out that Act.

6 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

7 For the Native American Institutions Endowment
8 Fund authorized by Public Law 103–382 (7 U.S.C. 301
9 note), \$11,880,000, to remain available until expended.

10 EXTENSION ACTIVITIES

11 For payments to States, the District of Columbia,
12 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
13 Northern Marianas, and American Samoa, \$475,876,000,
14 which shall be for the purposes, and in the amounts, speci-
15 fied in the table titled “National Institute of Food and
16 Agriculture, Extension Activities” in the report accom-
17 panying this Act: *Provided*, That funds for facility im-
18 provements at 1890 institutions shall remain available
19 until expended: *Provided further*, That institutions eligible
20 to receive funds under 7 U.S.C. 3221 for cooperative ex-
21 tension receive no less than \$1,000,000: *Provided further*,
22 That funds for cooperative extension under sections 3(b)
23 and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c))
24 and section 209 of the District of Columbia Public Post-
25 secondary Education Reorganization Act (38–1202.09,

1 D.C. Official Code) shall be available for retirement and
2 employees' compensation costs for extension agents.

3 INTEGRATED ACTIVITIES

4 For the integrated research, education, and extension
5 grants programs, including necessary administrative ex-
6 penses, \$35,000,000, which shall be for the purposes, and
7 in the amounts, specified in the table titled "National In-
8 stitute of Food and Agriculture, Integrated Activities" in
9 the report accompanying this Act: *Provided*, That funds
10 for the Food and Agriculture Defense Initiative shall re-
11 main available until September 30, 2019: *Provided further*,
12 That notwithstanding any other provision of law, indirect
13 costs shall not be charged against any Extension Imple-
14 mentation Program Area grant awarded under the Inte-
15 grated research, education, and extension competitive
16 grants program under section 406 of the Agricultural Re-
17 search, Extension, and Education Reform Act of 1998.

18 OFFICE OF THE UNDER SECRETARY FOR MARKETING

19 AND REGULATORY PROGRAMS

20 For necessary expenses of the Office of the Under
21 Secretary for Marketing and Regulatory Programs,
22 \$800,000: *Provided*, That funds made available by this
23 Act to an agency in the Marketing and Regulatory Pro-
24 grams mission area for salaries and expenses are available

1 to pay the salaries and expenses of up to one administra-
2 tive support staff for the Office.

3 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses of the Animal and Plant
7 Health Inspection Service, including up to \$30,000 for
8 representation allowances and for expenses pursuant to
9 the Foreign Service Act of 1980 (22 U.S.C. 4085),
10 \$906,400,000, of which \$450,000, to remain available
11 until expended, shall be available for the control of out-
12 breaks of insects, plant diseases, animal diseases and for
13 control of pest animals and birds (“contingency fund”) to
14 the extent necessary to meet emergency conditions; of
15 which \$11,520,000, to remain available until expended,
16 shall be used for the cotton pests program for cost share
17 purposes or for debt retirement for active eradication
18 zones; of which \$35,250,000, to remain available until ex-
19 pended, shall be for Animal Health Technical Services; of
20 which \$700,000 shall be for activities under the authority
21 of the Horse Protection Act of 1970, as amended (15
22 U.S.C. 1831); of which \$55,340,000, to remain available
23 until expended, shall be used to support avian health; of
24 which \$4,200,000, to remain available until expended,
25 shall be for information technology infrastructure; of

1 which \$160,000,000, to remain available until expended,
2 shall be for specialty crop pests; of which, \$8,800,000, to
3 remain available until expended, shall be for field crop and
4 rangeland ecosystem pests; of which \$14,500,000, to re-
5 main available until expended, shall be for zoonotic disease
6 management; of which \$36,500,000, to remain available
7 until expended, shall be for emergency preparedness and
8 response; of which \$38,000,000, to remain available until
9 expended, shall be for tree and wood pests; of which
10 \$5,725,000, to remain available until expended, shall be
11 for the National Veterinary Stockpile; of which up to
12 \$1,500,000, to remain available until expended, shall be
13 for the scrapie program for indemnities; of which
14 \$2,500,000, to remain available until expended, shall be
15 for the wildlife damage management program for aviation
16 safety: *Provided*, That of amounts available under this
17 heading for wildlife services methods development,
18 \$1,000,000 shall remain available until expended: *Pro-*
19 *vided further*, That of amounts available under this head-
20 ing for the screwworm program, \$4,990,000 shall remain
21 available until expended: *Provided further*, That no funds
22 shall be used to formulate or administer a brucellosis
23 eradication program for the current fiscal year that does
24 not require minimum matching by the States of at least
25 40 percent: *Provided further*, That this appropriation shall

1 be available for the operation and maintenance of aircraft
2 and the purchase of not to exceed five, of which two shall
3 be for replacement only: *Provided further*, That in addi-
4 tion, in emergencies which threaten any segment of the
5 agricultural production industry of the United States, the
6 Secretary may transfer from other appropriations or funds
7 available to the agencies or corporations of the Depart-
8 ment such sums as may be deemed necessary, to be avail-
9 able only in such emergencies for the arrest and eradi-
10 cation of contagious or infectious disease or pests of ani-
11 mals, poultry, or plants, and for expenses in accordance
12 with sections 10411 and 10417 of the Animal Health Pro-
13 tection Act (7 U.S.C. 8310 and 8316) and sections 431
14 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
15 7772), and any unexpended balances of funds transferred
16 for such emergency purposes in the preceding fiscal year
17 shall be merged with such transferred amounts: *Provided*
18 *further*, That appropriations hereunder shall be available
19 pursuant to law (7 U.S.C. 2250) for the repair and alter-
20 ation of leased buildings and improvements, but unless
21 otherwise provided, the cost of altering any one building
22 during the fiscal year shall not exceed 10 percent of the
23 current replacement value of the building.

24 In fiscal year 2018, the agency is authorized to collect
25 fees to cover the total costs of providing technical assist-

1 ance, goods, or services requested by States, other political
2 subdivisions, domestic and international organizations,
3 foreign governments, or individuals, provided that such
4 fees are structured such that any entity's liability for such
5 fees is reasonably based on the technical assistance, goods,
6 or services provided to the entity by the agency, and such
7 fees shall be reimbursed to this account, to remain avail-
8 able until expended, without further appropriation, for
9 providing such assistance, goods, or services.

10 AGRICULTURAL MARKETING SERVICE

11 MARKETING SERVICES

12 For necessary expenses of the Agricultural Marketing
13 Service, \$77,573,000: *Provided*, That this appropriation
14 shall be available pursuant to law (7 U.S.C. 2250) for the
15 alteration and repair of buildings and improvements, but
16 the cost of altering any one building during the fiscal year
17 shall not exceed 10 percent of the current replacement
18 value of the building.

19 Fees may be collected for the cost of standardization
20 activities, as established by regulation pursuant to section
21 9701 of title 31, United States Code.

22 LIMITATION ON ADMINISTRATIVE EXPENSES

23 Not to exceed \$61,227,000 (from fees collected) shall
24 be obligated during the current fiscal year for administra-
25 tive expenses: *Provided*, That if crop size is understated

1 and/or other uncontrollable events occur, the agency may
2 exceed this limitation by up to 10 percent with notification
3 to the Committees on Appropriations of both Houses of
4 Congress.

5 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND
6 SUPPLY (SECTION 32)

7 (INCLUDING TRANSFERS OF FUNDS)

8 Funds available under section 32 of the Act of Au-
9 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
10 modity program expenses as authorized therein, and other
11 related operating expenses, except for: (1) transfers to the
12 Department of Commerce as authorized by the Fish and
13 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
14 fers otherwise provided in this Act; and (3) not more than
15 \$20,705,000 for formulation and administration of mar-
16 keting agreements and orders pursuant to the Agricultural
17 Marketing Agreement Act of 1937 and the Agricultural
18 Act of 1961 (Public Law 87–128).

19 PAYMENTS TO STATES AND POSSESSIONS

20 For payments to departments of agriculture, bureaus
21 and departments of markets, and similar agencies for
22 marketing activities under section 204(b) of the Agricul-
23 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
24 \$1,109,000.

1 GRAIN INSPECTION, PACKERS AND STOCKYARDS

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Grain Inspection,
5 Packers and Stockyards Administration, \$42,888,000:
6 *Provided*, That this appropriation shall be available pursu-
7 ant to law (7 U.S.C. 2250) for the alteration and repair
8 of buildings and improvements, but the cost of altering
9 any one building during the fiscal year shall not exceed
10 10 percent of the current replacement value of the build-
11 ing.

12 LIMITATION ON INSPECTION AND WEIGHING SERVICES

13 EXPENSES

14 Not to exceed \$60,000,000 (from fees collected) shall
15 be obligated during the current fiscal year for inspection
16 and weighing services: *Provided*, That if grain export ac-
17 tivities require additional supervision and oversight, or
18 other uncontrollable factors occur, this limitation may be
19 exceeded by up to 10 percent with notification to the Com-
20 mittees on Appropriations of both Houses of Congress.

21 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

22 For necessary expenses of the Office of the Under
23 Secretary for Food Safety, \$800,000: *Provided*, That
24 funds made available by this Act to an agency in the Food
25 Safety mission area for salaries and expenses are available

1 to pay the salaries and expenses of up to one administra-
2 tive support staff for the Office.

3 FOOD SAFETY AND INSPECTION SERVICE

4 For necessary expenses to carry out services author-
5 ized by the Federal Meat Inspection Act, the Poultry
6 Products Inspection Act, and the Egg Products Inspection
7 Act, including not to exceed \$50,000 for representation
8 allowances and for expenses pursuant to section 8 of the
9 Act approved August 3, 1956 (7 U.S.C. 1766),
10 \$1,038,069,000; and in addition, \$1,000,000 may be cred-
11 ited to this account from fees collected for the cost of lab-
12 oratory accreditation as authorized by section 1327 of the
13 Food, Agriculture, Conservation and Trade Act of 1990
14 (7 U.S.C. 138f): *Provided*, That funds provided for the
15 Public Health Data Communication Infrastructure system
16 shall remain available until expended: *Provided further*,
17 That no fewer than 148 full-time equivalent positions shall
18 be employed during fiscal year 2018 for purposes dedi-
19 cated solely to inspections and enforcement related to the
20 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
21 seq.): *Provided further*, That the Food Safety and Inspec-
22 tion Service shall continue implementation of section
23 11016 of the Food, Conservation, and Energy Act of 2008
24 (Public Law 110–246) as further clarified by the amend-
25 ments made in section 12106 of the Agricultural Act of

1 2014 (Public Law 113–79): *Provided further*, That this
2 appropriation shall be available pursuant to law (7 U.S.C.
3 2250) for the alteration and repair of buildings and im-
4 provements, but the cost of altering any one building dur-
5 ing the fiscal year shall not exceed 10 percent of the cur-
6 rent replacement value of the building.

7 TITLE II

8 FARM PRODUCTION AND CONSERVATION

9 PROGRAMS

10 OFFICE OF THE UNDER SECRETARY FOR FARM

11 PRODUCTION AND CONSERVATION

12 For necessary expenses of the Office of the Under
13 Secretary for Farm Production and Conservation,
14 \$875,000: *Provided*, That funds made available by this
15 Act to an agency in the Farm Production and Conserva-
16 tion mission area for salaries and expenses are available
17 to pay the salaries and expenses of up to one administra-
18 tive support staff for the Office.

19 FARM SERVICE AGENCY

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Farm Service Agency,
23 \$1,166,317,000: *Provided*, That not more than 50 percent
24 of the \$78,013,000 made available under this heading for
25 information technology related to farm program delivery,

1 including the Modernize and Innovate the Delivery of Ag-
2 ricultural Systems and other farm program delivery sys-
3 tems, may be obligated until the Secretary submits to the
4 Committees on Appropriations of both Houses of Con-
5 gress, and receives written or electronic notification of re-
6 ceipt from such Committees of, a plan for expenditure that
7 (1) identifies for each project/investment over \$25,000 (a)
8 the functional and performance capabilities to be delivered
9 and the mission benefits to be realized, (b) the estimated
10 lifecycle cost, including estimates for development as well
11 as maintenance and operations, and (c) key milestones to
12 be met; (2) demonstrates that each project/investment is
13 (a) consistent with the Farm Service Agency Information
14 Technology Roadmap, (b) being managed in accordance
15 with applicable lifecycle management policies and guid-
16 ance, and (c) subject to the applicable Department's cap-
17 ital planning and investment control requirements; and (3)
18 has been reviewed by the Government Accountability Of-
19 fice: *Provided further*, That the agency shall submit a re-
20 port by the end of the fourth quarter of fiscal year 2018
21 to the Committees on Appropriations and the Government
22 Accountability Office, that identifies for each project/in-
23 vestment that is operational (a) current performance
24 against key indicators of customer satisfaction, (b) current
25 performance of service level agreements or other technical

1 metrics, (c) current performance against a pre-established
2 cost baseline, (d) a detailed breakdown of current and
3 planned spending on operational enhancements or up-
4 grades, and (e) an assessment of whether the investment
5 continues to meet business needs as intended as well as
6 alternatives to the investment: *Provided further*, That the
7 Secretary is authorized to use the services, facilities, and
8 authorities (but not the funds) of the Commodity Credit
9 Corporation to make program payments for all programs
10 administered by the Agency: *Provided further*, That other
11 funds made available to the Agency for authorized activi-
12 ties may be advanced to and merged with this account:
13 *Provided further*, That funds made available to county
14 committees shall remain available until expended: *Pro-*
15 *vided further*, That none of the funds available to the
16 Farm Service Agency shall be used to close Farm Service
17 Agency county offices: *Provided further*, That none of the
18 funds available to the Farm Service Agency shall be used
19 to permanently relocate county based employees that
20 would result in an office with two or fewer employees with-
21 out prior notification and approval of the Committees on
22 Appropriations of both Houses of Congress.

1 STATE MEDIATION GRANTS

2 For grants pursuant to section 502(b) of the Agricul-
3 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
4 5106), \$3,398,000.

5 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

6 For necessary expenses to carry out wellhead or
7 groundwater protection activities under section 1240O of
8 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
9 \$6,000,000, to remain available until expended.

10 DAIRY INDEMNITY PROGRAM

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses involved in making indemnity
13 payments to dairy farmers and manufacturers of dairy
14 products under a dairy indemnity program, such sums as
15 may be necessary, to remain available until expended: *Pro-*
16 *vided*, That such program is carried out by the Secretary
17 in the same manner as the dairy indemnity program de-
18 scribed in the Agriculture, Rural Development, Food and
19 Drug Administration, and Related Agencies Appropria-
20 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
21 12).

1 in section 502 of the Congressional Budget Act of 1974,
2 as follows: farm operating loans, \$52,716,000 for direct
3 operating loans, \$17,687,000 for unsubsidized guaranteed
4 operating loans, emergency loans, \$1,260,000, to remain
5 available until expended; and \$2,272,000 for Indian highly
6 fractionated land loans.

7 In addition, for administrative expenses necessary to
8 carry out the direct and guaranteed loan programs,
9 \$305,291,000, of which \$297,386,000 shall be transferred
10 to and merged with the appropriation for “Farm Service
11 Agency, Salaries and Expenses”.

12 Funds appropriated by this Act to the Agricultural
13 Credit Insurance Program Account for farm ownership,
14 operating and conservation direct loans and guaranteed
15 loans may be transferred among these programs: *Pro-*
16 *vided*, That the Committees on Appropriations of both
17 Houses of Congress are notified at least 15 days in ad-
18 vance of any transfer.

19 RISK MANAGEMENT AGENCY

20 SALARIES AND EXPENSES

21 For necessary expenses of the Risk Management
22 Agency, \$55,000,000: *Provided*, That not to exceed
23 \$1,000 shall be available for official reception and rep-
24 resentation expenses, as authorized by 7 U.S.C. 1506(i).

1 NATURAL RESOURCES CONSERVATION SERVICE

2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$858,911,000, to remain available until September 30,
20 2019: *Provided*, That appropriations hereunder shall be
21 available pursuant to 7 U.S.C. 2250 for construction and
22 improvement of buildings and public improvements at
23 plant materials centers, except that the cost of alterations
24 and improvements to other buildings and other public im-
25 provements shall not exceed \$250,000: *Provided further*,

1 That when buildings or other structures are erected on
2 non-Federal land, that the right to use such land is ob-
3 tained as provided in 7 U.S.C. 2250a.

4 WATERSHED AND FLOOD PREVENTION OPERATIONS

5 For necessary expenses to carry out preventive meas-
6 ures, including but not limited to surveys and investiga-
7 tions, engineering operations, works of improvement, and
8 changes in use of land, in accordance with the Watershed
9 Protection and Flood Prevention Act (16 U.S.C. 1001–
10 1005 and 1007–1009) and in accordance with the provi-
11 sions of laws relating to the activities of the Department,
12 \$40,000,000, to remain available until expended: *Pro-*
13 *vided*, That of the amounts made available under this
14 heading, \$20,000,000 shall be allocated to projects and
15 activities that can commence promptly following enact-
16 ment; that address regional priorities for flood prevention,
17 agricultural water management, inefficient irrigation sys-
18 tems, fish and wildlife habitat, or watershed protection;
19 or that address authorized ongoing projects under the au-
20 thorities of section 13 of the Flood Control Act of Decem-
21 ber 22, 1944 (Public Law 78–534) with a primary pur-
22 pose of watershed protection by preventing floodwater
23 damage and stabilizing stream channels, tributaries, and
24 banks to reduce erosion and sediment transport.

1 WATERSHED REHABILITATION PROGRAM

2 Under the authorities of section 14 of the Watershed
3 Protection and Flood Prevention Act, \$10,000,000 is pro-
4 vided: *Provided*, That of the amounts made available
5 under this heading, \$5,000,000 shall remain available
6 until expended for watershed rehabilitation projects in
7 states with high-hazard dams and other watershed struc-
8 tures and that have recently incurred flooding events
9 which caused fatalities.

10 CORPORATIONS

11 The following corporations and agencies are hereby
12 authorized to make expenditures, within the limits of
13 funds and borrowing authority available to each such cor-
14 poration or agency and in accord with law, and to make
15 contracts and commitments without regard to fiscal year
16 limitations as provided by section 104 of the Government
17 Corporation Control Act as may be necessary in carrying
18 out the programs set forth in the budget for the current
19 fiscal year for such corporation or agency, except as here-
20 inafter provided.

21 FEDERAL CROP INSURANCE CORPORATION FUND

22 For payments as authorized by section 516 of the
23 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
24 as may be necessary, to remain available until expended.

1 COMMODITY CREDIT CORPORATION FUND
2 REIMBURSEMENT FOR NET REALIZED LOSSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the current fiscal year, such sums as may be nec-
5 essary to reimburse the Commodity Credit Corporation for
6 net realized losses sustained, but not previously reim-
7 bursed, pursuant to section 2 of the Act of August 17,
8 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
9 available to the Commodity Credit Corporation under sec-
10 tion 11 of the Commodity Credit Corporation Charter Act
11 (15 U.S.C. 714i) for the conduct of its business with the
12 Foreign Agricultural Service, up to \$5,000,000 may be
13 transferred to and used by the Foreign Agricultural Serv-
14 ice for information resource management activities of the
15 Foreign Agricultural Service that are not related to Com-
16 modity Credit Corporation business.

17 HAZARDOUS WASTE MANAGEMENT
18 (LIMITATION ON EXPENSES)

19 For the current fiscal year, the Commodity Credit
20 Corporation shall not expend more than \$5,000,000 for
21 site investigation and cleanup expenses, and operations
22 and maintenance expenses to comply with the requirement
23 of section 107(g) of the Comprehensive Environmental
24 Response, Compensation, and Liability Act (42 U.S.C.

1 9607(g)), and section 6001 of the Resource Conservation
2 and Recovery Act (42 U.S.C. 6961).

3 TITLE III
4 RURAL DEVELOPMENT PROGRAMS
5 RURAL DEVELOPMENT
6 SALARIES AND EXPENSES
7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses for carrying out the adminis-
9 tration and implementation of Rural Development pro-
10 grams, including activities with institutions concerning the
11 development and operation of agricultural cooperatives;
12 and for cooperative agreements; \$220,835,000: *Provided*,
13 That notwithstanding any other provision of law, funds
14 appropriated under this heading may be used for adver-
15 tising and promotional activities that support Rural Devel-
16 opment programs.

17 RURAL HOUSING SERVICE
18 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
19 (INCLUDING TRANSFERS OF FUNDS)

20 For gross obligations for the principal amount of di-
21 rect and guaranteed loans as authorized by title V of the
22 Housing Act of 1949, to be available from funds in the
23 rural housing insurance fund, as follows: \$900,000,000
24 shall be for direct loans and \$24,000,000,000 shall be for
25 unsubsidized guaranteed loans; \$24,000,000 for section

1 504 housing repair loans; \$28,398,000 for section 515
2 rental housing; \$230,000,000 for section 538 guaranteed
3 multi-family housing loans; \$10,000,000 for credit sales
4 of single family housing acquired property; \$5,000,000 for
5 section 523 self-help housing land development loans; and
6 \$5,000,000 for section 524 site development loans: *Pro-*
7 *vided*, That section 514(f)(3)(A) of the Housing Act of
8 1949 (42 U.S.C. 1484(f)(3)(A)) is amended by striking
9 “United States” and inserting “United States,” and by
10 inserting before the semicolon the following: “, or a person
11 legally admitted to the United States and authorized to
12 work in agriculture”.

13 For the cost of direct and guaranteed loans, including
14 the cost of modifying loans, as defined in section 502 of
15 the Congressional Budget Act of 1974, as follows: section
16 502 loans, \$34,650,000 shall be for direct loans; section
17 504 housing repair loans, \$2,959,000; section 523 self-
18 help housing land development loans, \$368,000; section
19 524 site development loans, \$58,000; and repair, rehabili-
20 tation, and new construction of section 515 rental housing,
21 \$7,472,000: *Provided*, That to support the loan program
22 level for section 538 guaranteed loans made available
23 under this heading the Secretary may charge or adjust
24 any fees to cover the projected cost of such loan guaran-
25 tees pursuant to the provisions of the Credit Reform Act

1 of 1990 (2 U.S.C. 661 et seq.), and the interest on such
2 loans may not be subsidized: *Provided further*, That appli-
3 cants in communities that have a current rural area waiv-
4 er under section 541 of the Housing Act of 1949 (42
5 U.S.C. 1490q) shall be treated as living in a rural area
6 for purposes of section 502 guaranteed loans provided
7 under this heading: *Provided further*, That of the amounts
8 available under this paragraph for section 502 direct
9 loans, no less than \$5,000,000 shall be available for direct
10 loans for individuals whose homes will be built pursuant
11 to a program funded with a mutual and self-help housing
12 grant authorized by section 523 of the Housing Act of
13 1949 until June 1, 2018: *Provided further*, That the Sec-
14 retary shall implement provisions to provide incentives to
15 nonprofit organizations and public housing authorities to
16 facilitate the acquisition of Rural Housing Service (RHS)
17 multifamily housing properties by such nonprofit organi-
18 zations and public housing authorities that commit to keep
19 such properties in the RHS multifamily housing program
20 for a period of time as determined by the Secretary, with
21 such incentives to include, but not be limited to, the fol-
22 lowing: allow such nonprofit entities and public housing
23 authorities to earn a Return on Investment (ROI) on their
24 own resources to include proceeds from low income hous-
25 ing tax credit syndication, own contributions, grants, and

1 developer loans at favorable rates and terms, invested in
2 a deal; and allow reimbursement of organizational costs
3 associated with owner's oversight of asset referred to as
4 "Asset Management Fee" (AMF) of up to \$7,500 per
5 property.

6 In addition, for the cost of direct loans, grants, and
7 contracts, as authorized by sections 514 and 516 of the
8 Housing Act of 1949 (42 U.S.C. 1484, 1486),
9 \$10,008,000, to remain available until expended, for direct
10 farm labor housing loans and domestic farm labor housing
11 grants and contracts: *Provided*, That any balances avail-
12 able for the Farm Labor Program Account shall be trans-
13 ferred to and merged with this account.

14 In addition, for administrative expenses necessary to
15 carry out the direct and guaranteed loan programs,
16 \$401,300,000 shall be transferred to and merged with the
17 appropriation for "Rural Development, Salaries and Ex-
18 penses".

19 RENTAL ASSISTANCE PROGRAM

20 For rental assistance agreements entered into or re-
21 newed pursuant to the authority under section 521(a)(2)
22 of the Housing Act of 1949 or agreements entered into
23 in lieu of debt forgiveness or payments for eligible house-
24 holds as authorized by section 502(c)(5)(D) of the Hous-
25 ing Act of 1949, \$1,345,293,000, of which \$40,000,000

1 shall be available until September 30, 2019; and in addi-
2 tion such sums as may be necessary, as authorized by sec-
3 tion 521(c) of the Act, to liquidate debt incurred prior to
4 fiscal year 1992 to carry out the rental assistance program
5 under section 521(a)(2) of the Act: *Provided*, That rental
6 assistance agreements entered into or renewed during the
7 current fiscal year shall be funded for a one-year period:
8 *Provided further*, That any unexpended balances remain-
9 ing at the end of such one-year agreements may be trans-
10 ferred and used for purposes of any debt reduction; main-
11 tenance, repair, or rehabilitation of any existing projects;
12 preservation; and rental assistance activities authorized
13 under title V of the Act: *Provided further*, That rental as-
14 sistance provided under agreements entered into prior to
15 fiscal year 2018 for a farm labor multi-family housing
16 project financed under section 514 or 516 of the Act may
17 not be recaptured for use in another project until such
18 assistance has remained unused for a period of 12 con-
19 secutive months, if such project has a waiting list of ten-
20 ants seeking such assistance or the project has rental as-
21 sistance eligible tenants who are not receiving such assist-
22 ance: *Provided further*, That such recaptured rental assist-
23 ance shall, to the extent practicable, be applied to another
24 farm labor multi-family housing project financed under
25 section 514 or 516 of the Act: *Provided further*, That ex-

1 cept as provided in the third proviso under this heading
2 and notwithstanding any other provision of the Act, the
3 Secretary may recapture rental assistance provided under
4 agreements entered into prior to fiscal year 2018 for a
5 project that the Secretary determines no longer needs
6 rental assistance and use such recaptured funds for cur-
7 rent needs.

8 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

9 ACCOUNT

10 For the rural housing voucher program as authorized
11 under section 542 of the Housing Act of 1949, but not-
12 withstanding subsection (b) of such section, and for addi-
13 tional costs to conduct a demonstration program for the
14 preservation and revitalization of multi-family rental hous-
15 ing properties described in this paragraph, \$35,000,000,
16 to remain available until expended: *Provided*, That of the
17 funds made available under this heading, \$20,000,000,
18 shall be available for rural housing vouchers to any low-
19 income household (including those not receiving rental as-
20 sistance) residing in a property financed with a section
21 515 loan which has been prepaid after September 30,
22 2005: *Provided further*, That the amount of such voucher
23 shall be the difference between comparable market rent
24 for the section 515 unit and the tenant paid rent for such
25 unit: *Provided further*, That funds made available for such

1 vouchers shall be subject to the availability of annual ap-
2 propriations: *Provided further*, That the Secretary shall,
3 to the maximum extent practicable, administer such
4 vouchers with current regulations and administrative guid-
5 ance applicable to section 8 housing vouchers administered
6 by the Secretary of the Department of Housing and Urban
7 Development: *Provided further*, That if the Secretary de-
8 termines that the amount made available for vouchers in
9 this or any other Act is not needed for vouchers, the Sec-
10 retary may use such funds for the demonstration program
11 for the preservation and revitalization of multi-family
12 rental housing properties described in this paragraph: *Pro-*
13 *vided further*, That of the funds made available under this
14 heading, \$15,000,000 shall be available for a demonstra-
15 tion program for the preservation and revitalization of the
16 sections 514, 515, and 516 multi-family rental housing
17 properties to restructure existing USDA multi-family
18 housing loans, as the Secretary deems appropriate, ex-
19 pressly for the purposes of ensuring the project has suffi-
20 cient resources to preserve the project for the purpose of
21 providing safe and affordable housing for low-income resi-
22 dents and farm laborers including reducing or eliminating
23 interest; deferring loan payments, subordinating, reducing
24 or reamortizing loan debt; and other financial assistance
25 including advances, payments and incentives (including

1 the ability of owners to obtain reasonable returns on in-
2 vestment) required by the Secretary: *Provided further*,
3 That the Secretary shall as part of the preservation and
4 revitalization agreement obtain a restrictive use agreement
5 consistent with the terms of the restructuring: *Provided*
6 *further*, That if the Secretary determines that additional
7 funds for vouchers described in this paragraph are needed,
8 funds for the preservation and revitalization demonstra-
9 tion program may be used for such vouchers: *Provided fur-*
10 *ther*, That if Congress enacts legislation to permanently
11 authorize a multi-family rental housing loan restructuring
12 program similar to the demonstration program described
13 herein, the Secretary may use funds made available for
14 the demonstration program under this heading to carry
15 out such legislation with the prior approval of the Commit-
16 tees on Appropriations of both Houses of Congress: *Pro-*
17 *vided further*, That in addition to any other available
18 funds, the Secretary may expend not more than
19 \$1,000,000 total, from the program funds made available
20 under this heading, for administrative expenses for activi-
21 ties funded under this heading.

22 MUTUAL AND SELF-HELP HOUSING GRANTS

23 For grants and contracts pursuant to section
24 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
25 1490c), \$25,000,000, to remain available until expended.

1 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For gross obligations for the principal amount of di-
4 rect and guaranteed loans as authorized by section 306
5 and described in section 381E(d)(1) of the Consolidated
6 Farm and Rural Development Act, \$2,600,000,000 for di-
7 rect loans and \$148,305,000 for guaranteed loans.

8 For the cost of guaranteed loans, including the cost
9 of modifying loans, as defined in section 502 of the Con-
10 gressional Budget Act of 1974, \$4,849,000, to remain
11 available until expended.

12 RURAL BUSINESS—COOPERATIVE SERVICE
13 RURAL BUSINESS PROGRAM ACCOUNT
14 (INCLUDING TRANSFERS OF FUNDS)

15 For the cost of loan guarantees and grants, for the
16 rural business development programs authorized by sec-
17 tion 310B and described in subsections (a), (c), (f) and
18 (g) of section 310B of the Consolidated Farm and Rural
19 Development Act, \$58,251,000, to remain available until
20 expended: *Provided*, That of the amount appropriated
21 under this heading, not to exceed \$500,000 shall be made
22 available for one grant to a qualified national organization
23 to provide technical assistance for rural transportation in
24 order to promote economic development and \$5,000,000
25 shall be for grants to the Delta Regional Authority (7

1 U.S.C. 2009aa et seq.) and the Appalachian Regional
2 Commission (40 U.S.C. 14101 et seq.) for any Rural Com-
3 munity Advancement Program purpose as described in
4 section 381E(d) of the Consolidated Farm and Rural De-
5 velopment Act, of which not more than 5 percent may be
6 used for administrative expenses: *Provided further*, That
7 \$4,000,000 of the amount appropriated under this head-
8 ing shall be for business grants to benefit Federally Recog-
9 nized Native American Tribes, including \$250,000 for a
10 grant to a qualified national organization to provide tech-
11 nical assistance for rural transportation in order to pro-
12 mote economic development: *Provided further*, That sec-
13 tions 381E–H and 381N of the Consolidated Farm and
14 Rural Development Act are not applicable to funds made
15 available under this heading.

16 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT
17 (INCLUDING TRANSFER OF FUNDS)

18 For the principal amount of direct loans, as author-
19 ized by the Intermediary Relending Program Fund Ac-
20 count (7 U.S.C. 1936b), \$17,500,000.

21 For the cost of direct loans, \$4,041,000, as author-
22 ized by the Intermediary Relending Program Fund Ac-
23 count (7 U.S.C. 1936b), of which \$404,100 shall be avail-
24 able through June 30, 2018, for Federally Recognized Na-
25 tive American Tribes; and of which \$606,150 shall be

1 available through June 30, 2018, for Mississippi Delta Re-
2 gion counties (as determined in accordance with Public
3 Law 100–460): *Provided*, That such costs, including the
4 cost of modifying such loans, shall be as defined in section
5 502 of the Congressional Budget Act of 1974.

6 In addition, for administrative expenses to carry out
7 the direct loan programs, \$4,230,000 shall be transferred
8 to and merged with the appropriation for “Rural Develop-
9 ment, Salaries and Expenses”.

10 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

11 ACCOUNT

12 (INCLUDING RESCISSION OF FUNDS)

13 For the principal amount of direct loans, as author-
14 ized under section 313 of the Rural Electrification Act,
15 for the purpose of promoting rural economic development
16 and job creation projects, \$33,077,000.

17 Of the funds derived from interest on the cushion of
18 credit payments, as authorized by section 313 of the Rural
19 Electrification Act of 1936, \$196,000,000 shall not be ob-
20 ligated and \$196,000,000 are rescinded.

21 The cost of grants authorized under section 313 of
22 the Rural Electrification Act, for the purpose of promoting
23 rural economic development and job creation projects shall
24 not exceed \$10,000,000.

1 RURAL COOPERATIVE DEVELOPMENT GRANTS

2 For rural cooperative development grants authorized
3 under section 310B(e) of the Consolidated Farm and
4 Rural Development Act (7 U.S.C. 1932), \$21,000,000, of
5 which \$2,500,000 shall be for cooperative agreements for
6 the appropriate technology transfer for rural areas pro-
7 gram: *Provided*, That not to exceed \$3,000,000 shall be
8 for grants for cooperative development centers, individual
9 cooperatives, or groups of cooperatives that serve socially
10 disadvantaged groups and a majority of the boards of di-
11 rectors or governing boards of which are comprised of in-
12 dividuals who are members of socially disadvantaged
13 groups; and of which \$10,000,000, to remain available
14 until expended, shall be for value-added agricultural prod-
15 uct market development grants, as authorized by section
16 231 of the Agricultural Risk Protection Act of 2000 (7
17 U.S.C. 1632a).

18 RURAL ENERGY FOR AMERICA PROGRAM

19 For the cost of a program of loan guarantees, under
20 the same terms and conditions as authorized by section
21 9007 of the Farm Security and Rural Investment Act of
22 2002 (7 U.S.C. 8107), \$291,000: *Provided*, That the cost
23 of loan guarantees, including the cost of modifying such
24 loans, shall be as defined in section 502 of the Congres-
25 sional Budget Act of 1974.

1 RURAL UTILITIES SERVICE

2 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For the cost of direct loans, loan guarantees, and
5 grants for the rural water, waste water, waste disposal,
6 and solid waste management programs authorized by sec-
7 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
8 scribed in sections 306C(a)(2), 306D, 306E, and
9 381E(d)(2) of the Consolidated Farm and Rural Develop-
10 ment Act, \$472,700,000, to remain available until ex-
11 pended, of which not to exceed \$1,000,000 shall be avail-
12 able for the rural utilities program described in section
13 306(a)(2)(B) of such Act, and of which not to exceed
14 \$993,000 shall be available for the rural utilities program
15 described in section 306E of such Act: *Provided*, That
16 \$45,000,000 of the amount appropriated under this head-
17 ing shall be for loans and grants including water and
18 waste disposal systems grants authorized by section
19 306C(a)(2)(B) and section 306D of the Consolidated
20 Farm and Rural Development Act, and Federally Recog-
21 nized Native American Tribes authorized by 306C(a)(1)
22 of such Act: *Provided further*, That funding provided for
23 section 306D of the Consolidated Farm and Rural Devel-
24 opment Act may be provided to a consortium formed pur-
25 suant to section 325 of Public Law 105–83: *Provided fur-*

1 *ther*, That not more than 2 percent of the funding pro-
2 vided for section 306D of the Consolidated Farm and
3 Rural Development Act may be used by the State of Alas-
4 ka for training and technical assistance programs and not
5 more than 2 percent of the funding provided for section
6 306D of the Consolidated Farm and Rural Development
7 Act may be used by a consortium formed pursuant to sec-
8 tion 325 of Public Law 105–83 for training and technical
9 assistance programs: *Provided further*, That not to exceed
10 \$20,000,000 of the amount appropriated under this head-
11 ing shall be for technical assistance grants for rural water
12 and waste systems pursuant to section 306(a)(14) of such
13 Act, unless the Secretary makes a determination of ex-
14 treme need, of which \$6,500,000 shall be made available
15 for a grant to a qualified nonprofit multi-State regional
16 technical assistance organization, with experience in work-
17 ing with small communities on water and waste water
18 problems, the principal purpose of such grant shall be to
19 assist rural communities with populations of 3,300 or less,
20 in improving the planning, financing, development, oper-
21 ation, and management of water and waste water systems,
22 and of which not less than \$800,000 shall be for a quali-
23 fied national Native American organization to provide
24 technical assistance for rural water systems for tribal com-
25 munities: *Provided further*, That not to exceed

1 \$16,897,000 of the amount appropriated under this head-
2 ing shall be for contracting with qualified national organi-
3 zations for a circuit rider program to provide technical as-
4 sistance for rural water systems: *Provided further*, That
5 not to exceed \$4,000,000 shall be for solid waste manage-
6 ment grants: *Provided further*, That sections 381E–H and
7 381N of the Consolidated Farm and Rural Development
8 Act are not applicable to the funds made available under
9 this heading.

10 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

11 LOANS PROGRAM ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 The principal amount of direct and guaranteed loans
14 as authorized by sections 305 and 306 of the Rural Elec-
15 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
16 made as follows: loans made pursuant to section 306 of
17 that Act, rural electric, \$5,500,000,000; guaranteed un-
18 derwriting loans pursuant to section 313A, \$750,000,000;
19 5 percent rural telecommunications loans, cost of money
20 rural telecommunications loans, and for loans made pursu-
21 ant to section 306 of that Act, rural telecommunications
22 loans, \$690,000,000: *Provided*, That up to
23 \$2,000,000,000 shall be used for the construction, acquisi-
24 tion, or improvement of fossil-fueled electric generating

1 plants (whether new or existing) that utilize carbon se-
2 questration systems.

3 For the cost of direct loans as authorized by section
4 305 of the Rural Electrification Act of 1936 (7 U.S.C.
5 935), including the cost of modifying loans, as defined in
6 section 502 of the Congressional Budget Act of 1974, cost
7 of money rural telecommunications loans, \$863,000.

8 In addition, for administrative expenses necessary to
9 carry out the direct and guaranteed loan programs,
10 \$30,750,000, which shall be transferred to and merged
11 with the appropriation for “Rural Development, Salaries
12 and Expenses”.

13 BROADBAND PROGRAM

14 For the principal amount of broadband telecommuni-
15 cation loans, \$26,991,000.

16 For the cost of broadband loans, as authorized by
17 section 601 of the Rural Electrification Act, \$4,521,000,
18 to remain available until expended: *Provided*, That the
19 cost of direct loans shall be as defined in section 502 of
20 the Congressional Budget Act of 1974.

21 RURAL ECONOMIC INFRASTRUCTURE ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For grants for very low-income housing repair and
24 rural housing preservation made by the Rural Housing
25 Service, as authorized by 42 U.S.C. 1474 and 1490m; for

1 rural community facilities, as authorized by section 306
2 and described in section 381E(d)(1) of the Consolidated
3 Farm and Rural Development Act; for grants for telemedi-
4 cine distance learning services in rural areas, as author-
5 ized by 7 U.S.C 950aaa et seq.; and for grants to finance
6 broadband transmission in rural areas eligible for Dis-
7 tance Learning and Telemedicine Program benefits, as au-
8 thorized by 7 U.S.C. 950aaa; \$122,692,000, to remain
9 available until expended:

10 *Provided*, That sections 381E-H and 381N of the
11 Consolidated Farm and Rural Development Act are not
12 applicable to the funds made available under this heading:

13 *Provided further*, That any balances available for the very
14 low-income housing repair and rural housing preservation
15 grants in the “Rural Housing Assistance Grant” account,
16 the rural community facilities grants in the “Rural Com-
17 munity Facilities Program Account”, and the telemedicine
18 and distance learning grants and broadband grants in the
19 “Distance Learning, Telemedicine and Broadband Pro-
20 gram” account shall be transferred to and merged with
21 funds made available under this heading: *Provided further*,
22 That of the amounts provided under this heading, not
23 more than \$60,000,000 shall be made available through
24 June 30, 2018, for jurisdictions in the Appalachian region,
25 as defined by 40 U.S.C. 14102(a)(1): *Provided further*,

1 That eligible activities under each of the Rural Housing
2 Assistance Grants program, Rural Community Facilities
3 program, and Distance Learning, Telemedicine and
4 Broadband program accounts shall receive not less than
5 15 percent of the amounts provided under this heading.

6 TITLE IV

7 DOMESTIC FOOD PROGRAMS

8 OFFICE OF THE UNDER SECRETARY FOR FOOD,
9 NUTRITION, AND CONSUMER SERVICES

10 For necessary expenses of the Office of the Under
11 Secretary for Food, Nutrition, and Consumer Services,
12 \$800,000: *Provided*, That funds made available by this
13 Act to an agency in the Food, Nutrition, and Consumer
14 services mission area for salaries and expenses are avail-
15 able to pay the salaries and expenses of up to one adminis-
16 trative support staff for the Office.

17 FOOD AND NUTRITION SERVICE

18 CHILD NUTRITION PROGRAMS

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses to carry out the Richard B.
21 Russell National School Lunch Act (42 U.S.C. 1751 et
22 seq.), except section 21, and the Child Nutrition Act of
23 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
24 21; \$24,280,944,000 to remain available through Sep-
25 tember 30, 2019, of which such sums as are made avail-

1 able under section 14222(b)(1) of the Food, Conservation,
2 and Energy Act of 2008 (Public Law 110–246), as
3 amended by this Act, shall be merged with and available
4 for the same time period and purposes as provided herein:
5 *Provided*, That of the total amount available, \$17,004,000
6 shall be available to carry out section 19 of the Child Nu-
7 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
8 *further*, That of the total amount available, \$25,000,000
9 shall be available to provide competitive grants to State
10 agencies for subgrants to local educational agencies and
11 schools to purchase the equipment, with a value of greater
12 than \$1,000, needed to serve healthier meals, improve food
13 safety, and to help support the establishment, mainte-
14 nance, or expansion of the school breakfast program: *Pro-*
15 *vided further*, That of the total amount available,
16 \$23,000,000 shall remain available until expended to carry
17 out section 749(g) of the Agriculture Appropriations Act
18 of 2010 (Public Law 111–80): *Provided further*, That sec-
19 tion 26(d) of the Richard B. Russell National School
20 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
21 sentence by striking “2010 through 2017” and inserting
22 “2010 through 2018”: *Provided further*, That section
23 9(h)(3) of the Richard B. Russell National School Lunch
24 Act (42 U.S.C. 1758(h)(3)) is amended in the first sen-
25 tence by striking “for fiscal year 2017” and inserting “for

1 fiscal year 2018”: *Provided further*, That section 9(h)(4)
2 of the Richard B. Russell National School Lunch Act (42
3 U.S.C. 1758(h)(4)) is amended in the first sentence by
4 striking “for fiscal year 2017” and inserting “for fiscal
5 year 2018”.

6 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
7 WOMEN, INFANTS, AND CHILDREN (WIC)

8 For necessary expenses to carry out the special sup-
9 plemental nutrition program as authorized by section 17
10 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
11 \$6,150,000,000, to remain available through September
12 30, 2019: *Provided*, That notwithstanding section
13 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
14 1786(h)(10)), not less than \$60,000,000 shall be used for
15 breastfeeding peer counselors and other related activities,
16 and \$13,600,000 shall be used for infrastructure: *Pro-*
17 *vided further*, That none of the funds provided in this ac-
18 count shall be available for the purchase of infant formula
19 except in accordance with the cost containment and com-
20 petitive bidding requirements specified in section 17 of
21 such Act: *Provided further*, That none of the funds pro-
22 vided shall be available for activities that are not fully re-
23 imbursed by other Federal Government departments or
24 agencies unless authorized by section 17 of such Act: *Pro-*
25 *vided further*, That upon termination of a federally man-

1 dated vendor moratorium and subject to terms and condi-
2 tions established by the Secretary, the Secretary may
3 waive the requirement at 7 CFR 246.12(g)(6) at the re-
4 quest of a State agency.

5 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

6 For necessary expenses to carry out the Food and
7 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
8 \$73,609,950,000, of which \$3,000,000,000, to remain
9 available through December 31, 2019, shall be placed in
10 reserve for use only in such amounts and at such times
11 as may become necessary to carry out program operations:
12 *Provided*, That funds provided herein shall be expended
13 in accordance with section 16 of the Food and Nutrition
14 Act of 2008: *Provided further*, That of the funds made
15 available under this heading, \$998,000 may be used to
16 provide nutrition education services to State agencies and
17 Federally Recognized Tribes participating in the Food
18 Distribution Program on Indian Reservations: *Provided*
19 *further*, That this appropriation shall be subject to any
20 work registration or workfare requirements as may be re-
21 quired by law: *Provided further*, That funds made available
22 for Employment and Training under this heading shall re-
23 main available through September 30, 2019: *Provided fur-*
24 *ther*, That funds made available under this heading for
25 section 28(d)(1), section 4(b), and section 27(a) of the

1 Food and Nutrition Act of 2008 shall remain available
2 through September 30, 2019: *Provided further*, That none
3 of the funds made available under this heading may be
4 obligated or expended in contravention of section 213A of
5 the Immigration and Nationality Act (8 U.S.C. 1183A):
6 *Provided further*, That, subject to section 731 of this Act,
7 funds made available under this heading may be used to
8 enter into contracts and employ staff to conduct studies,
9 evaluations, or to conduct activities related to program in-
10 tegrity provided that such activities are authorized by the
11 Food and Nutrition Act of 2008.

12 COMMODITY ASSISTANCE PROGRAM

13 For necessary expenses to carry out disaster assist-
14 ance and the Commodity Supplemental Food Program as
15 authorized by section 4(a) of the Agriculture and Con-
16 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
17 Emergency Food Assistance Act of 1983; special assist-
18 ance for the nuclear affected islands, as authorized by sec-
19 tion 103(f)(2) of the Compact of Free Association Amend-
20 ments Act of 2003 (Public Law 108–188); and the Farm-
21 ers’ Market Nutrition Program, as authorized by section
22 17(m) of the Child Nutrition Act of 1966, \$317,139,000,
23 to remain available through September 30, 2019: *Pro-*
24 *vided*, That none of these funds shall be available to reim-
25 burse the Commodity Credit Corporation for commodities

1 donated to the program: *Provided further*, That notwith-
2 standing any other provision of law, effective with funds
3 made available in fiscal year 2018 to support the Seniors
4 Farmers' Market Nutrition Program, as authorized by
5 section 4402 of the Farm Security and Rural Investment
6 Act of 2002, such funds shall remain available through
7 September 30, 2019: *Provided further*, That of the funds
8 made available under section 27(a) of the Food and Nutri-
9 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
10 use up to 10 percent for costs associated with the distribu-
11 tion of commodities.

12 NUTRITION PROGRAMS ADMINISTRATION

13 For necessary administrative expenses of the Food
14 and Nutrition Service for carrying out any domestic nutri-
15 tion assistance program, \$148,541,000: *Provided*, That of
16 the funds provided herein, \$2,000,000 shall be used for
17 the purposes of section 4404 of Public Law 107–171, as
18 amended by section 4401 of Public Law 110–246.

19 TITLE V

20 FOREIGN ASSISTANCE AND RELATED
21 PROGRAMS

22 OFFICE OF THE UNDER SECRETARY FOR TRADE AND
23 FOREIGN AGRICULTURAL AFFAIRS

24 For necessary expenses of the Office of the Under
25 Secretary for Trade and Foreign Agricultural Affairs,

1 \$875,000: *Provided*, That funds made available by this
2 Act to an agency in the Trade and Foreign Agricultural
3 Affairs mission area for salaries and expenses are avail-
4 able to pay the salaries and expenses of up to one adminis-
5 trative support staff for the Office.

6 FOREIGN AGRICULTURAL SERVICE

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Foreign Agricultural
10 Service, including not to exceed \$250,000 for representa-
11 tion allowances and for expenses pursuant to section 8 of
12 the Act approved August 3, 1956 (7 U.S.C. 1766),
13 \$195,268,000: *Provided*, That the Service may utilize ad-
14 vances of funds, or reimburse this appropriation for ex-
15 penditures made on behalf of Federal agencies, public and
16 private organizations and institutions under agreements
17 executed pursuant to the agricultural food production as-
18 sistance programs (7 U.S.C. 1737) and the foreign assist-
19 ance programs of the United States Agency for Inter-
20 national Development: *Provided further*, That funds made
21 available for middle-income country training programs,
22 funds made available for the Borlaug International Agri-
23 cultural Science and Technology Fellowship program, and
24 up to \$2,000,000 of the Foreign Agricultural Service ap-
25 propriation solely for the purpose of offsetting fluctuations

1 in international currency exchange rates, subject to docu-
2 mentation by the Foreign Agricultural Service, shall re-
3 main available until expended.

4 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD
5 FOR PROGRESS PROGRAM ACCOUNT
6 (INCLUDING TRANSFER OF FUNDS)

7 For administrative expenses to carry out the credit
8 program of title I, Food for Peace Act (Public Law 83–
9 480) and the Food for Progress Act of 1985, \$149,000,
10 shall be transferred to and merged with the appropriation
11 for “Farm Service Agency, Salaries and Expenses”.

12 FOOD FOR PEACE TITLE II GRANTS

13 For expenses during the current fiscal year, not oth-
14 erwise recoverable, and unrecovered prior years’ costs, in-
15 cluding interest thereon, under the Food for Peace Act
16 (Public Law 83–480), for commodities supplied in connec-
17 tion with dispositions abroad under title II of said Act,
18 \$1,400,000,000, to remain available until expended: *Pro-*
19 *vided*, That the Administrator of the United States Agen-
20 cy for International Development shall in each instance
21 notify in writing the Committees on Appropriations of
22 both Houses of Congress, the Committee on Agriculture
23 of the House, and the Committee on Agriculture, Nutri-
24 tion, and Forestry of the Senate and make publicly avail-
25 able online the amount and use of authority in section

1 202(a) of the Food for Peace Act (7 U.S.C. 1722(a)) to
2 notwithstanding the minimum level of nonemergency assist-
3 ance required by section 412(e)(2) of the Food for Peace
4 Act (7 U.S.C. 1736f(e)(2)) not later than 15 days after
5 the date of such action.

6 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
7 AND CHILD NUTRITION PROGRAM GRANTS

8 For necessary expenses to carry out the provisions
9 of section 3107 of the Farm Security and Rural Invest-
10 ment Act of 2002 (7 U.S.C. 1736o–1), \$201,626,000, to
11 remain available until expended: *Provided*, That the Com-
12 modity Credit Corporation is authorized to provide the
13 services, facilities, and authorities for the purpose of im-
14 plementing such section, subject to reimbursement from
15 amounts provided herein.

16 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
17 CREDIT GUARANTEE PROGRAM ACCOUNT
18 (INCLUDING TRANSFERS OF FUNDS)

19 For administrative expenses to carry out the Com-
20 modity Credit Corporation's Export Guarantee Program,
21 GSM 102 and GSM 103, \$6,735,000; to cover common
22 overhead expenses as permitted by section 11 of the Com-
23 modity Credit Corporation Charter Act and in conformity
24 with the Federal Credit Reform Act of 1990, of which
25 \$6,382,000 shall be transferred to and merged with the

1 appropriation for “Foreign Agricultural Service, Salaries
2 and Expenses”, and of which \$353,000 shall be trans-
3 ferred to and merged with the appropriation for “Farm
4 Service Agency, Salaries and Expenses”.

5

TITLE VI

6

RELATED AGENCIES AND FOOD AND DRUG

7

ADMINISTRATION

8

DEPARTMENT OF HEALTH AND HUMAN SERVICES

9

FOOD AND DRUG ADMINISTRATION

10

SALARIES AND EXPENSES

11

For necessary expenses of the Food and Drug Ad-
12 ministration, including hire and purchase of passenger
13 motor vehicles; for payment of space rental and related
14 costs pursuant to Public Law 92–313 for programs and
15 activities of the Food and Drug Administration that are
16 funded by this Act; for rental of special purpose space in
17 the District of Columbia or elsewhere; in addition to
18 amounts appropriated to the FDA Innovation Account, for
19 carrying out the activities described in section 1002(b)(4)
20 of the 21st Century Cures Act (Public Law 114–255); for
21 miscellaneous and emergency expenses of enforcement ac-
22 tivities, authorized and approved by the Secretary and to
23 be accounted for solely on the Secretary’s certificate, not
24 to exceed \$25,000; and notwithstanding section 521 of
25 Public Law 107–188; \$5,145,945,000: *Provided*, That of

1 the amount provided under this heading, \$937,434,000
2 shall be derived from prescription drug user fees author-
3 ized by 21 U.S.C. 379h, and shall be credited to this ac-
4 count and remain available until expended; \$193,291,000
5 shall be derived from medical device user fees authorized
6 by 21 U.S.C. 379j, and shall be credited to this account
7 and remain available until expended; \$493,600,000 shall
8 be derived from human generic drug user fees authorized
9 by 21 U.S.C. 379j-42, and shall be credited to this ac-
10 count and remain available until expended; \$54,000,000
11 shall be derived from biosimilar biological product user
12 fees authorized by 21 U.S.C. 379j-52, and shall be cred-
13 ited to this account and remain available until expended;
14 \$24,142,000 shall be derived from animal drug user fees
15 authorized by 21 U.S.C. 379j-12, and shall be credited
16 to this account and remain available until expended;
17 \$12,100,000 shall be derived from generic new animal
18 drug user fees authorized by 21 U.S.C. 379j-21, and shall
19 be credited to this account and remain available until ex-
20 pended; \$672,000,000 shall be derived from tobacco prod-
21 uct user fees authorized by 21 U.S.C. 387s, and shall be
22 credited to this account and remain available until ex-
23 pended: *Provided further*, That in addition to and notwith-
24 standing any other provision under this heading, amounts
25 collected for prescription drug user fees, medical device

1 user fees, human generic drug user fees, biosimilar biologi-
2 cal product user fees, animal drug user fees, and generic
3 new animal drug user fees that exceed the respective fiscal
4 year 2018 limitations are appropriated and shall be cred-
5 ited to this account and remain available until expended:
6 *Provided further*, That fees derived from prescription drug,
7 medical device, human generic drug, biosimilar biological
8 product, animal drug, and generic new animal drug as-
9 sessments for fiscal year 2018, including any such fees
10 collected prior to fiscal year 2018 but credited for fiscal
11 year 2018, shall be subject to the fiscal year 2018 limita-
12 tions: *Provided further*, That the Secretary may accept
13 payment during fiscal year 2018 of user fees specified
14 under this heading and authorized for fiscal year 2019,
15 prior to the due date for such fees, and that amounts of
16 such fees assessed for fiscal year 2019 for which the Sec-
17 retary accepts payment in fiscal year 2018 shall not be
18 included in amounts under this heading: *Provided further*,
19 That none of these funds shall be used to develop, estab-
20 lish, or operate any program of user fees authorized by
21 31 U.S.C. 9701: *Provided further*, That of the total
22 amount appropriated: (1) \$1,026,803,000 shall be for the
23 Center for Food Safety and Applied Nutrition and related
24 field activities in the Office of Regulatory Affairs; (2)
25 \$1,634,578,000 shall be for the Center for Drug Evalua-

tion and Research and related field activities in the Office of Regulatory Affairs; (3) \$374,233,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$195,349,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$487,836,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$63,331,000 shall be for the National Center for Toxicological Research; (7) \$625,646,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$178,785,000 shall be for Rent and Related activities, of which \$51,973,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed \$237,871,000 shall be for payments to the General Services Administration for rent; and (10) \$321,513,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed \$25,000

1 of this amount shall be for official reception and represen-
2 tation expenses, not otherwise provided for, as determined
3 by the Commissioner of Food and Drugs: *Provided further*,
4 That any transfer of funds pursuant to section 770(n) of
5 the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
6 379dd(n)) shall only be from amounts made available
7 under this heading for other activities: *Provided further*,
8 That of the amounts that are made available under this
9 heading for “other activities”, and that are not derived
10 from user fees, \$1,500,000 shall be transferred to and
11 merged with the appropriation for “Department of Health
12 and Human Services—Office of Inspector General” for
13 oversight of the programs and operations of the Food and
14 Drug Administration and shall be in addition to funds oth-
15 erwise made available for oversight of the Food and Drug
16 Administration: *Provided further*, That of the total amount
17 made available under this heading, \$1,500,000 shall be
18 used by the Commissioner of Food and Drugs, in coordi-
19 nation with the Secretary of Agriculture, for consumer
20 outreach and education regarding agricultural bio-
21 technology and biotechnology-derived food products and
22 animal feed, including through publication and distribu-
23 tion of science-based educational information on the envi-
24 ronmental, nutritional, food safety, economic, and humani-
25 tarian impacts of such biotechnology, food products, and

1 feed: *Provided further*, That funds may be transferred
2 from one specified activity to another with the prior ap-
3 proval of the Committees on Appropriations of both
4 Houses of Congress.

5 In addition, mammography user fees authorized by
6 42 U.S.C. 263b, export certification user fees authorized
7 by 21 U.S.C. 381, priority review user fees authorized by
8 21 U.S.C. 360n and 360ff, food and feed recall fees, food
9 reinspection fees, and voluntary qualified importer pro-
10 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
11 facility fees authorized by 21 U.S.C. 379j–62, prescription
12 drug wholesale distributor licensing and inspection fees
13 authorized by 21 U.S.C. 353(e)(3), third-party logistics
14 provider licensing and inspection fees authorized by 21
15 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
16 by 21 U.S.C. 384d(c)(8), and medical countermeasure pri-
17 ority review voucher user fees authorized by 21 U.S.C.
18 360bbb–4a, shall be credited to this account, to remain
19 available until expended.

20 BUILDINGS AND FACILITIES

21 For plans, construction, repair, improvement, exten-
22 sion, alteration, demolition, and purchase of fixed equip-
23 ment or facilities of or used by the Food and Drug Admin-
24 istration, where not otherwise provided, \$8,771,000, to re-
25 main available until expended.

1 INDEPENDENT AGENCIES

2 COMMODITY FUTURES TRADING COMMISSION

3 For necessary expenses to carry out the provisions
4 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
5 cluding the purchase and hire of passenger motor vehicles,
6 and the rental of space (to include multiple year leases),
7 in the District of Columbia and elsewhere, \$248,000,000,
8 including not to exceed \$3,000 for official reception and
9 representation expenses, and not to exceed \$25,000 for the
10 expenses for consultations and meetings hosted by the
11 Commission with foreign governmental and other regu-
12 latory officials, of which not less than \$49,000,000, to re-
13 main available until September 30, 2019, shall be for the
14 purchase of information technology and of which not less
15 than \$2,700,000 shall be for expenses of the Office of the
16 Inspector General: *Provided*, That notwithstanding the
17 limitations in 31 U.S.C. 1553, amounts provided under
18 this heading are available for the liquidation of obligations
19 equal to current year payments on leases entered into
20 prior to the date of enactment of this Act: *Provided fur-*
21 *ther*, That for the purpose of recording and liquidating any
22 lease obligations that should have been recorded and liq-
23 uidated against accounts closed pursuant to 31 U.S.C.
24 1552, and consistent with the preceding proviso, such
25 amounts shall be transferred to and recorded in a new

1 no-year account in the Treasury, which may be established
2 for the sole purpose of recording adjustments for and liq-
3 uidating such unpaid obligations: *Provided further*, That
4 notwithstanding any other provision of law, the Chairman
5 of the Commodity Futures Trading Commission may ad-
6 just the schedule of compensation and benefits for employ-
7 ees if the Chairman determines that furloughs or reduc-
8 tions-in-force may result from a collective bargaining
9 agreement.

10 FARM CREDIT ADMINISTRATION

11 LIMITATION ON ADMINISTRATIVE EXPENSES

12 Not to exceed \$68,600,000 (from assessments col-
13 lected from farm credit institutions, including the Federal
14 Agricultural Mortgage Corporation) shall be obligated
15 during the current fiscal year for administrative expenses
16 as authorized under 12 U.S.C. 2249: *Provided*, That this
17 limitation shall not apply to expenses associated with re-
18 ceiverships: *Provided further*, That the agency may exceed
19 this limitation by up to 10 percent with notification to the
20 Committees on Appropriations of both Houses of Con-
21 gress.

1 TITLE VII

2 GENERAL PROVISIONS

3 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

4 SEC. 701. Within the unit limit of cost fixed by law,
5 appropriations and authorizations made for the Depart-
6 ment of Agriculture for the current fiscal year under this
7 Act shall be available for the purchase, in addition to those
8 specifically provided for, of not to exceed 71 passenger
9 motor vehicles of which 68 shall be for replacement only,
10 and for the hire of such vehicles: *Provided*, That notwith-
11 standing this section, the only purchase of new passenger
12 vehicles shall be for those determined by the Secretary to
13 be necessary for transportation safety, to reduce oper-
14 ational costs, and for the protection of life, property, and
15 public safety.

16 SEC. 702. Notwithstanding any other provision of
17 this Act, the Secretary of Agriculture may transfer unobli-
18 gated balances of discretionary funds appropriated by this
19 Act or any other available unobligated discretionary bal-
20 ances that are remaining available of the Department of
21 Agriculture to the Working Capital Fund for the acquisi-
22 tion of plant and capital equipment necessary for the deliv-
23 ery of financial, administrative, and information tech-
24 nology services of primary benefit to the agencies of the
25 Department of Agriculture, such transferred funds to re-

1 main available until expended: *Provided*, That none of the
2 funds made available by this Act or any other Act shall
3 be transferred to the Working Capital Fund without the
4 prior approval of the agency administrator: *Provided fur-*
5 *ther*, That none of the funds transferred to the Working
6 Capital Fund pursuant to this section shall be available
7 for obligation without written notification to and the prior
8 approval of the Committees on Appropriations of both
9 Houses of Congress: *Provided further*, That none of the
10 funds appropriated by this Act or made available to the
11 Department's Working Capital Fund shall be available for
12 obligation or expenditure to make any changes to the De-
13 partment's National Finance Center without written noti-
14 fication to and prior approval of the Committees on Ap-
15 propriations of both Houses of Congress as required by
16 section 717 of this Act: *Provided further*, That none of
17 the funds appropriated by this Act or made available to
18 the Department's Working Capital Fund shall be available
19 for obligation or expenditure to initiate, plan, develop, im-
20 plement, or make any changes to remove or relocate any
21 systems, missions, or offices of the Chief Financial Officer
22 or any personnel from the National Finance Center prior
23 to written notification to and prior approval of the Com-
24 mittee on Appropriations of both Houses of Congress and
25 in accordance with the requirements of section 717 of this

1 Act: *Provided further*, That of annual income amounts in
2 the Working Capital Fund of the Department of Agri-
3 culture allocated for the National Finance Center, the Sec-
4 retary may reserve not more than 4 percent for the re-
5 placement or acquisition of capital equipment, including
6 equipment for the improvement and implementation of a
7 financial management plan, information technology, and
8 other systems of the National Finance Center or to pay
9 any unforeseen, extraordinary cost of the National Fi-
10 nance Center: *Provided further*, That none of the amounts
11 reserved shall be available for obligation unless the Sec-
12 retary submits written notification of the obligation to the
13 Committees on Appropriations of both Houses of Con-
14 gress: *Provided further*, That the limitations on the obliga-
15 tion of funds pending notification to Congressional Com-
16 mittees shall not apply to any obligation that, as deter-
17 mined by the Secretary, is necessary to respond to a de-
18 clared state of emergency that significantly impacts the
19 operations of the National Finance Center; or to evacuate
20 employees of the National Finance Center to a safe haven
21 to continue operations of the National Finance Center.

22 SEC. 703. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

1 SEC. 704. No funds appropriated by this Act may be
2 used to pay negotiated indirect cost rates on cooperative
3 agreements or similar arrangements between the United
4 States Department of Agriculture and nonprofit institu-
5 tions in excess of 10 percent of the total direct cost of
6 the agreement when the purpose of such cooperative ar-
7 rangements is to carry out programs of mutual interest
8 between the two parties. This does not preclude appro-
9 priate payment of indirect costs on grants and contracts
10 with such institutions when such indirect costs are com-
11 puted on a similar basis for all agencies for which appro-
12 priations are provided in this Act.

13 SEC. 705. Appropriations to the Department of Agri-
14 culture for the cost of direct and guaranteed loans made
15 available in the current fiscal year shall remain available
16 until expended to disburse obligations made in the current
17 fiscal year for the following accounts: the Rural Develop-
18 ment Loan Fund program account, the Rural Electrifica-
19 tion and Telecommunication Loans program account, and
20 the Rural Housing Insurance Fund program account.

21 SEC. 706. None of the funds made available to the
22 Department of Agriculture by this Act may be used to ac-
23 quire new information technology systems or significant
24 upgrades, as determined by the Office of the Chief Infor-
25 mation Officer, without the approval of the Chief Informa-

1 tion Officer and the concurrence of the Executive Informa-
2 tion Technology Investment Review Board: *Provided*, That
3 notwithstanding any other provision of law, none of the
4 funds appropriated or otherwise made available by this
5 Act may be transferred to the Office of the Chief Informa-
6 tion Officer without written notification to and the prior
7 approval of the Committees on Appropriations of both
8 Houses of Congress: *Provided further*, That, notwith-
9 standing section 11319 of title 40, United States Code,
10 none of the funds available to the Department of Agri-
11 culture for information technology shall be obligated for
12 projects, contracts, or other agreements over \$25,000
13 prior to receipt of written approval by the Chief Informa-
14 tion Officer: *Provided further*, That the Chief Information
15 Officer may authorize an agency to obligate funds without
16 written approval from the Chief Information Officer for
17 projects, contracts, or other agreements up to \$250,000
18 based upon the performance of an agency measured
19 against the performance plan requirements described in
20 the explanatory statement accompanying Public Law 113–
21 235.

22 SEC. 707. Funds made available under section 524(b)
23 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
24 the current fiscal year shall remain available until ex-

1 pended to disburse obligations made in the current fiscal
2 year.

3 SEC. 708. Notwithstanding any other provision of
4 law, any former RUS borrower that has repaid or prepaid
5 an insured, direct or guaranteed loan under the Rural
6 Electrification Act of 1936, or any not-for-profit utility
7 that is eligible to receive an insured or direct loan under
8 such Act, shall be eligible for assistance under section
9 313(b)(2)(B) of such Act in the same manner as a bor-
10 rower under such Act.

11 SEC. 709. Except as otherwise specifically provided
12 by law, not more than \$20,000,000 in unobligated bal-
13 ances from appropriations made available for salaries and
14 expenses in this Act for the Farm Service Agency shall
15 remain available through September 30, 2019, for infor-
16 mation technology expenses: *Provided*, That except as oth-
17 erwise specifically provided by law, unobligated balances
18 from appropriations made available for salaries and ex-
19 penses in this Act for the Rural Development mission area
20 shall remain available through September 30, 2019, for
21 information technology expenses.

22 SEC. 710. None of the funds appropriated or other-
23 wise made available by this Act may be used for first-class
24 travel by the employees of agencies funded by this Act in

1 contravention of sections 301–10.122 through 301–10.124
2 of title 41, Code of Federal Regulations.

3 SEC. 711. In the case of each program established
4 or amended by the Agricultural Act of 2014 (Public Law
5 113–79), other than by title I or subtitle A of title III
6 of such Act, or programs for which indefinite amounts
7 were provided in that Act, that is authorized or required
8 to be carried out using funds of the Commodity Credit
9 Corporation—

10 (1) such funds shall be available for salaries
11 and related administrative expenses, including tech-
12 nical assistance, associated with the implementation
13 of the program, without regard to the limitation on
14 the total amount of allotments and fund transfers
15 contained in section 11 of the Commodity Credit
16 Corporation Charter Act (15 U.S.C. 714i); and

17 (2) the use of such funds for such purpose shall
18 not be considered to be a fund transfer or allotment
19 for purposes of applying the limitation on the total
20 amount of allotments and fund transfers contained
21 in such section.

22 SEC. 712. Of the funds made available by this Act,
23 not more than \$2,900,000 shall be used to cover necessary
24 expenses of activities related to all advisory committees,
25 panels, commissions, and task forces of the Department

1 of Agriculture, except for panels used to comply with nego-
2 tiated rule makings and panels used to evaluate competi-
3 tively awarded grants.

4 SEC. 713. None of the funds in this Act shall be avail-
5 able to pay indirect costs charged against any agricultural
6 research, education, or extension grant awards issued by
7 the National Institute of Food and Agriculture that exceed
8 30 percent of total Federal funds provided under each
9 award: *Provided*, That notwithstanding section 1462 of
10 the National Agricultural Research, Extension, and
11 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-
12 vided by this Act for grants awarded competitively by the
13 National Institute of Food and Agriculture shall be avail-
14 able to pay full allowable indirect costs for each grant
15 awarded under section 9 of the Small Business Act (15
16 U.S.C. 638).

17 SEC. 714. None of the funds appropriated or other-
18 wise made available by this or any other Act shall be used
19 to pay the salaries and expenses of personnel to carry out
20 the following:

21 (1) The program authorized by section 14(h)(1)
22 of the Watershed Protection and Flood Prevention
23 Act (16 U.S.C. 1012(h)(1)): *Provided*, That the
24 funds appropriated by section 14(h)(1) of such Act
25 are hereby permanently cancelled;

1 (2) The program authorized by section 9007 of
2 the Farm Security and Rural Investment Act of
3 2002 (7 U.S.C. 8107) in excess of \$1,000,000;

4 (3) The program authorized by section 9011 of
5 the Farm Security and Rural Investment Act of
6 2002 (7 U.S.C. 8111);

7 (4) The program authorized by section 9003 of
8 the Farm Security and Rural Investment Act of
9 2002 (7 U.S.C. 8103); and

10 (5) The program authorized by section 524(b)
11 of the Federal Crop Insurance Act, as amended (7
12 U.S.C. 1524(b)): *Provided*, That the funds made
13 available by section 524(b) of such Act for fiscal
14 year 2018 are hereby permanently cancelled.

15 SEC. 715. Notwithstanding subsection (b) of section
16 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
17 section referred to as “section 14222”), none of the funds
18 appropriated or otherwise made available by this or any
19 other Act shall be used to pay the salaries and expenses
20 of personnel to carry out a program under section 32 of
21 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
22 referred to as “section 32”) in excess of \$878,255,000 (ex-
23 clusive of carryover appropriations from prior fiscal
24 years), as follows: Child Nutrition Programs Entitlement
25 Commodities—\$465,000,000; State Option Contracts—

1 \$5,000,000; Removal of Defective Commodities—
2 \$2,500,000; Administration of Section 32 Commodity
3 Purchases—\$35,853,000: *Provided*, That of the total
4 funds made available in the matter preceding this proviso
5 that remain unobligated on October 1, 2018, such unobli-
6 gated balances shall carryover into the next fiscal year and
7 shall remain available until expended for any of the three
8 stated purposes of section 32, except that any such carry-
9 over funds used in accordance with clause (3) of section
10 32 may not exceed \$75,000,000 and may not be obligated
11 until the Secretary of Agriculture provides written notifi-
12 cation of the expenditures to the Committees on Appro-
13 priations of both Houses of Congress at least two weeks
14 in advance: *Provided further*, That none of the funds made
15 available in this Act or any other Act shall be used for
16 salaries and expenses to carry out in this fiscal year sub-
17 section (i)(1)(E) of section 19 of the Richard B. Russell
18 National School Lunch Act (42 U.S.C. 1769a), except in
19 an amount that excludes the transfer of \$125,000,000 of
20 the funds to be transferred under subsection (c) of section
21 14222, until October 1, 2018: *Provided further*, That
22 \$125,000,000 made available on October 1, 2018, to carry
23 out such section 19 shall be excluded from the limitation
24 described in subsection (b)(2)(A)(x) of section 14222: *Pro-*
25 *vided further*, That, with the exception of any available

1 carryover funds authorized in the first proviso of this sec-
2 tion to be used for the purposes of clause (3) of section
3 32, none of the funds appropriated or otherwise made
4 available by this or any other Act shall be used to pay
5 the salaries or expenses of any employee of the Depart-
6 ment of Agriculture or officer of the Commodity Credit
7 Corporation to carry out clause (3) of section 32, or for
8 any surplus removal activities or price support activities
9 under section 5 of the Commodity Credit Corporation
10 Charter Act (15 U.S.C. 714c): *Provided further*, That the
11 available unobligated balances under (b)(2)(A)(x) of sec-
12 tion 14222 in excess of the limitation set forth in this sec-
13 tion, excluding amounts to be transferred pursuant to the
14 second proviso of this section, are hereby permanently re-
15 scinded.

16 SEC. 716. None of the funds appropriated by this or
17 any other Act shall be used to pay the salaries and ex-
18 penses of personnel who prepare or submit appropriations
19 language as part of the President's budget submission to
20 the Congress for programs under the jurisdiction of the
21 Appropriations Subcommittees on Agriculture, Rural De-
22 velopment, Food and Drug Administration, and Related
23 Agencies that assumes revenues or reflects a reduction
24 from the previous year due to user fees proposals that
25 have not been enacted into law prior to the submission

1 of the budget unless such budget submission identifies
2 which additional spending reductions should occur in the
3 event the user fees proposals are not enacted prior to the
4 date of the convening of a committee of conference for
5 the fiscal year 2018 appropriations Act.

6 SEC. 717. (a) None of the funds provided by this Act,
7 or provided by previous appropriations Acts to the agen-
8 cies funded by this Act that remain available for obligation
9 or expenditure in the current fiscal year, or provided from
10 any accounts in the Treasury derived by the collection of
11 fees available to the agencies funded by this Act, shall be
12 available for obligation or expenditure through a re-
13 programming, transfer of funds, or reimbursements as au-
14 thorized by the Economy Act, or in the case of the Depart-
15 ment of Agriculture, through use of the authority provided
16 by section 702(b) of the Department of Agriculture Or-
17 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
18 Law 89–106 (7 U.S.C. 2263), that—

- 19 (1) creates new programs;
- 20 (2) eliminates a program, project, or activity;
- 21 (3) increases funds or personnel by any means
22 for any project or activity for which funds have been
23 denied or restricted;
- 24 (4) relocates an office or employees;

1 (5) reorganizes offices, programs, or activities;

2 or

3 (6) contracts out or privatizes any functions or

4 activities presently performed by Federal employees;

5 unless the Secretary of Agriculture, the Chairman of the

6 Commodity Futures Trading Commission, or the Sec-

7 retary of Health and Human Services (as the case may

8 be) notifies in writing and receives approval from the Com-

9 mittees on Appropriations of both Houses of Congress at

10 least 30 days in advance of the reprogramming of such

11 funds or the use of such authority.

12 (b) None of the funds provided by this Act, or pro-

13 vided by previous Appropriations Acts to the agencies

14 funded by this Act that remain available for obligation or

15 expenditure in the current fiscal year, or provided from

16 any accounts in the Treasury derived by the collection of

17 fees available to the agencies funded by this Act, shall be

18 available for obligation or expenditure for activities, pro-

19 grams, or projects through a reprogramming or use of the

20 authorities referred to in subsection (a) involving funds

21 in excess of \$500,000 or 10 percent, whichever is less,

22 that—

23 (1) augments existing programs, projects, or ac-

24 tivities;

1 (2) reduces by 10 percent funding for any exist-
2 ing program, project, or activity, or numbers of per-
3 sonnel by 10 percent as approved by Congress; or

4 (3) results from any general savings from a re-
5 duction in personnel which would result in a change
6 in existing programs, activities, or projects as ap-
7 proved by Congress; unless the Secretary of Agri-
8 culture, the Chairman of the Commodity Futures
9 Trading Commission, or the Secretary of Health and
10 Human Services (as the case may be) notifies in
11 writing and receives approval from the Committees
12 on Appropriations of both Houses of Congress at
13 least 30 days in advance of the reprogramming or
14 transfer of such funds or the use of such authority.

15 (c) The Secretary of Agriculture, the Chairman of the
16 Commodity Futures Trading Commission, or the Sec-
17 retary of Health and Human Services shall notify in writ-
18 ing and receive approval from the Committees on Appro-
19 priations of both Houses of Congress before implementing
20 any program or activity not carried out during the pre-
21 vious fiscal year unless the program or activity is funded
22 by this Act or specifically funded by any other Act.

23 (d) None of the funds provided by this Act, or pro-
24 vided by previous Appropriations Acts to the agencies
25 funded by this Act that remain available for obligation or

1 expenditure in the current fiscal year, or provided from
2 any accounts in the Treasury derived by the collection of
3 fees available to the agencies funded by this Act, shall be
4 available for—

5 (1) modifying major capital investments fund-
6 ing levels, including information technology systems,
7 that involves increasing or decreasing funds in the
8 current fiscal year for the individual investment in
9 excess of \$500,000 or 10 percent of the total cost,
10 whichever is less;

11 (2) realigning or reorganizing new, current, or
12 vacant positions or agency activities or functions to
13 establish a center, office, branch, or similar entity
14 with five or more personnel; or

15 (3) carrying out activities or functions that
16 were not described in the budget request; unless the
17 agencies funded by this Act notify, in writing, the
18 Committees on Appropriations of both Houses of
19 Congress at least 30 days in advance of using the
20 funds for these purposes.

21 (e) As described in this section, no funds may be used
22 for any activities unless the Secretary of Agriculture, the
23 Chairman of the Commodity Futures Trading Commis-
24 sion, or the Secretary of Health and Human Services re-
25 ceives from the Committee on Appropriations of both

1 Houses of Congress written or electronic mail confirma-
2 tion of receipt of the notification as required in this sec-
3 tion.

4 SEC. 718. Notwithstanding section 310B(g)(5) of the
5 Consolidated Farm and Rural Development Act (7 U.S.C.
6 1932(g)(5)), the Secretary may assess a one-time fee for
7 any guaranteed business and industry loan in an amount
8 that does not exceed 3 percent of the guaranteed principal
9 portion of the loan.

10 SEC. 719. None of the funds appropriated or other-
11 wise made available to the Department of Agriculture, the
12 Food and Drug Administration, the Commodity Futures
13 Trading Commission, or the Farm Credit Administration
14 shall be used to transmit or otherwise make available re-
15 ports, questions, or responses to questions that are a re-
16 sult of information requested for the appropriations hear-
17 ing process to any non-Department of Agriculture, non-
18 Department of Health and Human Services, non-Com-
19 modity Futures Trading Commission, or non-Farm Credit
20 Administration employee.

21 SEC. 720. Unless otherwise authorized by existing
22 law, none of the funds provided in this Act, may be used
23 by an executive branch agency to produce any pre-
24 packaged news story intended for broadcast or distribution
25 in the United States unless the story includes a clear noti-

1 fication within the text or audio of the prepackaged news
2 story that the prepackaged news story was prepared or
3 funded by that executive branch agency.

4 SEC. 721. No employee of the Department of Agri-
5 culture may be detailed or assigned from an agency or
6 office funded by this Act or any other Act to any other
7 agency or office of the Department for more than 60 days
8 in a fiscal year unless the individual's employing agency
9 or office is fully reimbursed by the receiving agency or
10 office for the salary and expenses of the employee for the
11 period of assignment.

12 SEC. 722. (a) Unless the Secretary of Agriculture no-
13 tifies the Committees on Appropriations of both Houses
14 of Congress at least 3 full business days in advance, none
15 of the funds made available in this Act may be used to—

16 (1) make a grant allocation of discretionary
17 grant award totaling \$1,000,000 or more;

18 (2) make a discretionary contract award total-
19 ing \$1,000,000 or more;

20 (3) issue a letter of intent to make an allocation
21 or award in excess of the limits in subparagraph (1)
22 or (2); or

23 (4) announce publicly the intention to make an
24 allocation or award in excess of the limits in sub-
25 paragraph (1) or (2).

1 (b) The Secretary of Agriculture shall submit to the
2 Committees on Appropriations of both Houses of Congress
3 within 15 days of the conclusion of each quarter a report
4 detailing each grant allocation or discretionary grant
5 award totaling less than \$1,000,000 provided during the
6 previous quarter.

7 (c) The notification required by paragraph (a) and
8 the report required by paragraph (b) shall include the re-
9 cipient of the award, the amount of the award, the fiscal
10 year for which the funds for the award were appropriated,
11 the account and program, project, or activity from which
12 the funds are being drawn, the title of the award, and
13 a brief description of the activity for which the award is
14 made.

15 SEC. 723. Not later than 30 days after the date of
16 enactment of this Act, the Secretary of Agriculture, the
17 Commissioner of the Food and Drug Administration, the
18 Chairman of the Commodity Futures Trading Commis-
19 sion, and the Chairman of the Farm Credit Administra-
20 tion shall submit to the Committees on Appropriations of
21 both Houses of Congress a detailed spending plan by pro-
22 gram, project, and activity for all the funds made available
23 under this Act including appropriated user fees, as defined
24 in the report accompanying this Act.

1 SEC. 724. Funds made available under title II of the
2 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
3 used to provide assistance to recipient nations if adequate
4 monitoring and controls, as determined by the Adminis-
5 trator, are in place to ensure that emergency food aid is
6 received by the intended beneficiaries in areas affected by
7 food shortages and not diverted for unauthorized or inap-
8 propriate purposes.

9 SEC. 725. The Secretary shall establish an inter-
10 mediary loan packaging program based on the pilot pro-
11 gram in effect for fiscal year 2013 for packaging and re-
12 viewing section 502 single family direct loans. The Sec-
13 retary shall enter into agreements with current inter-
14 mediary organizations and with additional qualified inter-
15 mediary organizations. The Secretary shall work with
16 these organizations to increase effectiveness of the section
17 502 single family direct loan program in rural commu-
18 nities and shall set aside and make available from the na-
19 tional reserve section 502 loans an amount necessary to
20 support the work of such intermediaries and provide a pri-
21 ority for review of such loans.

22 SEC. 726. For loans and loan guarantees that do not
23 require budget authority and the program level has been
24 established in this Act, the Secretary of Agriculture may
25 increase the program level for such loans and loan guaran-

tees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 727. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

SEC. 728. None of the funds made available by this Act may be used to procure raw or processed poultry products imported into the United States from the People's Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766),

1 the Summer Food Service Program for Children under
2 section 13 of such Act (42 U.S.C. 1761), or the school
3 breakfast program under the Child Nutrition Act of 1966
4 (42 U.S.C. 1771 et seq.).

5 SEC. 729. In response to an eligible community where
6 the drinking water supplies are inadequate due to a nat-
7 ural disaster, as determined by the Secretary, including
8 drought or severe weather, the Secretary may provide po-
9 table water through the Emergency Community Water As-
10 sistance Grant Program for an additional period of time
11 not to exceed 120 days beyond the established period pro-
12 vided under the Program in order to protect public health.

13 SEC. 730. Funds provided by this or any prior Appro-
14 priations Act for the Agriculture and Food Research Ini-
15 tiative under 7 U.S.C. 450i(b) shall be made available
16 without regard to section 7128 of the Agricultural Act of
17 2014 (7 U.S.C. 3371 note), under the matching require-
18 ments in laws in effect on the date before the date of en-
19 actment of such section: *Provided*, That the requirements
20 of 7 U.S.C. 450i(b)(9) shall continue to apply.

21 SEC. 731. None of the funds made available by this
22 Act may be used by the Secretary of Agriculture, acting
23 through the Food and Nutrition Service, to commence any
24 new research and evaluation projects until the Secretary
25 submits to the Committees on Appropriations of both

1 Houses of Congress a research and evaluation plan for fis-
2 cal year 2018, prepared in coordination with the Research,
3 Education, and Economics mission area of the Depart-
4 ment of Agriculture, and a period of 30 days beginning
5 on the date of the submission of the plan expires to permit
6 Congressional review of the plan.

7 SEC. 732. In carrying out subsection (h) of section
8 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
9 Secretary of Agriculture shall have the same authority
10 with respect to loans guaranteed under such section and
11 eligible lenders for such loans as the Secretary has under
12 subsections (h) and (j) of section 538 of such Act (42
13 U.S.C. 1490p-2) with respect to loans guaranteed under
14 such section 538 and eligible lenders for such loans.

15 SEC. 733. None of the funds made available by this
16 Act may be used to propose, promulgate, or implement
17 any rule, or take any other action with respect to, allowing
18 or requiring information intended for a prescribing health
19 care professional, in the case of a drug or biological prod-
20 uct subject to section 503(b)(1) of the Federal Food,
21 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
22 tributed to such professional electronically (in lieu of in
23 paper form) unless and until a Federal law is enacted to
24 allow or require such distribution.

1 SEC. 734. None of the funds made available by this
2 Act may be used to notify a sponsor or otherwise acknowl-
3 edge receipt of a submission for an exemption for inves-
4 tigational use of a drug or biological product under section
5 505(i) of the Federal Food, Drug, and Cosmetic Act (21
6 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
7 Service Act (42 U.S.C. 262(a)(3)) in research in which
8 a human embryo is intentionally created or modified to
9 include a heritable genetic modification. Any such submis-
10 sion shall be deemed to have not been received by the Sec-
11 retary, and the exemption may not go into effect.

12 SEC. 735. None of the funds made available by this
13 or any other Act may be used to carry out the final rule
14 promulgated by the Food and Drug Administration and
15 put into effect November 16, 2015, in regards to the haz-
16 ard analysis and risk-based preventive control require-
17 ments of the current good manufacturing practice, hazard
18 analysis, and risk-based preventive controls for food for
19 animals rule with respect to the regulation of the produc-
20 tion, distribution, sale, or receipt of dried spent grain by-
21 products of the alcoholic beverage production process.

22 SEC. 736. (a) The Secretary of Agriculture shall—
23 (1) conduct audits in a manner that evaluates
24 the following factors in the country or region being
25 audited, as applicable—

- 1 (A) veterinary control and oversight;
2 (B) disease history and vaccination prac-
3 tices;
4 (C) livestock demographics and
5 traceability;
6 (D) epidemiological separation from poten-
7 tial sources of infection;
8 (E) surveillance practices;
9 (F) diagnostic laboratory capabilities; and
10 (G) emergency preparedness and response;
11 and

12 (2) promptly make publicly available the final
13 reports of any audits or reviews conducted pursuant
14 to subsection (1).

15 (b) This section shall be applied in a manner con-
16 sistent with United States obligations under its inter-
17 national trade agreements.

18 SEC. 737. None of the funds made available by this
19 Act may be used to carry out any activities or incur any
20 expense related to the issuance of licenses under section
21 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-
22 newal of such licenses, to class B dealers who sell dogs
23 and cats for use in research, experiments, teaching, or
24 testing.

1 SEC. 738. No partially hydrogenated oils as defined
2 in the order published by the Food and Drug Administra-
3 tion in the Federal Register on June 17, 2015 (80 Fed.
4 Reg. 34650 et seq.) shall be deemed unsafe within the
5 meaning of section 409(a) of the Federal Food, Drug, and
6 Cosmetic Act (21 U.S.C. 348(a)) and no food that is intro-
7 duced or delivered for introduction into interstate com-
8 merce that bears or contains a partially hydrogenated oil
9 shall be deemed adulterated under sections 402(a)(1) or
10 402(a)(2)(C)(i) of this Act by virtue of bearing or con-
11 taining a partially hydrogenated oil until the compliance
12 date as specified in such order (June 18, 2018).

13 SEC. 739. The Secretary may charge a fee for lenders
14 to access Department loan guarantee systems in connec-
15 tion with such lenders' participation in loan guarantee
16 programs of the Rural Housing Service: *Provided*, That
17 the funds collected from such fees shall be made available
18 to the Secretary without further appropriation and such
19 funds shall be deposited into the Rural Development Sala-
20 ries and Expense Account and shall remain available until
21 expended for obligation and expenditure by the Secretary
22 for administrative expenses of the Rural Housing Service
23 Loan Guarantee Program in addition to other available
24 funds: *Provided further*, That such fees collected shall not
25 exceed \$50 per loan.

1 SEC. 740. (a) None of the funds made available in
2 this Act may be used to maintain or establish a computer
3 network unless such network blocks the viewing,
4 downloading, and exchanging of pornography.

5 (b) Nothing in subsection (a) shall limit the use of
6 funds necessary for any Federal, State, tribal, or local law
7 enforcement agency or any other entity carrying out crimi-
8 nal investigations, prosecution, or adjudication activities.

9 SEC. 741. Of the unobligated balances from amounts
10 made available for the special supplemental nutrition pro-
11 gram as authorized by section 17 of the Child Nutrition
12 Act of 1966 (42 U.S.C. 1786), \$600,000,000 are re-
13 scinded.

14 SEC. 742. (a)(1) No Federal funds made available for
15 this fiscal year for the rural water, waste water, waste dis-
16 posal, and solid waste management programs authorized
17 by sections 306, 306A, 306C, 306D, 306E, and 310B of
18 the Consolidated Farm and Rural Development Act (7
19 U.S.C. 1926 et seq.) shall be used for a project for the
20 construction, alteration, maintenance, or repair of a public
21 water or wastewater system unless all of the iron and steel
22 products used in the project are produced in the United
23 States.

24 (2) In this section, the term “iron and steel products”
25 means the following products made primarily of iron or

1 steel: lined or unlined pipes and fittings, manhole covers
2 and other municipal castings, hydrants, tanks, flanges,
3 pipe clamps and restraints, valves, structural steel, rein-
4 forced precast concrete, and construction materials.

5 (b) Subsection (a) shall not apply in any case or cat-
6 egory of cases in which the Secretary of Agriculture (in
7 this section referred to as the “Secretary”) or the designee
8 of the Secretary finds that—

9 (1) applying subsection (a) would be incon-
10 sistent with the public interest;

11 (2) iron and steel products are not produced in
12 the United States in sufficient and reasonably avail-
13 able quantities or of a satisfactory quality; or

14 (3) inclusion of iron and steel products pro-
15 duced in the United States will increase the cost of
16 the overall project by more than 25 percent.

17 (c) If the Secretary or the designee receives a request
18 for a waiver under this section, the Secretary or the des-
19 ignee shall make available to the public on an informal
20 basis a copy of the request and information available to
21 the Secretary or the designee concerning the request, and
22 shall allow for informal public input on the request for
23 at least 15 days prior to making a finding based on the
24 request. The Secretary or the designee shall make the re-
25 quest and accompanying information available by elec-

1 tronic means, including on the official public Internet Web
2 site of the Department.

3 (d) This section shall be applied in a manner con-
4 sistent with United States obligations under international
5 agreements.

6 (e) The Secretary may retain up to 0.25 percent of
7 the funds appropriated in this Act for “Rural Utilities
8 Service—Rural Water and Waste Disposal Program Ac-
9 count” for carrying out the provisions described in sub-
10 section (a)(1) for management and oversight of the re-
11 quirements of this section.

12 (f) Subsection (a) shall not apply with respect to a
13 project for which the engineering plans and specifications
14 include use of iron and steel products otherwise prohibited
15 by such subsection if the plans and specifications have re-
16 ceived required approvals from State agencies prior to the
17 date of enactment of this Act.

18 (g) For purposes of this section, the terms “United
19 States” and “State” shall include each of the several
20 States, the District of Columbia, and each federally recog-
21 nized Indian tribe.

22 SEC. 743. (a) For the period beginning on the date
23 of enactment of this Act through school year 2018–2019,
24 with respect to the school lunch program established under
25 the Richard B. Russell National School Lunch Act (42

1 U.S.C. 1751 et seq.) or the school breakfast program es-
2 tablished under the Child Nutrition Act of 1966 (42
3 U.S.C. 1771 et seq.) and final regulations published by
4 the Department of Agriculture in the Federal Register on
5 January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Sec-
6 retary of Agriculture shall allow States to grant an exemp-
7 tion from the whole grain requirements that took effect
8 on or after July 1, 2014, and the States shall establish
9 a process for evaluating and responding, in a reasonable
10 amount of time, to requests for an exemption: *Provided*,
11 That school food authorities demonstrate hardship, includ-
12 ing financial hardship, in procuring specific whole grain
13 products which are acceptable to the students and compli-
14 ant with the whole grain-rich requirements: *Provided fur-*
15 *ther*, That school food authorities shall comply with the
16 applicable grain component or standard with respect to
17 the school lunch or school breakfast program that was in
18 effect prior to July 1, 2014.

19 (b) For the period beginning on the date of enact-
20 ment of this Act through school year 2018–2019, none
21 of the funds appropriated or otherwise made available by
22 this or any other Act shall be used to pay the salaries
23 and expenses of personnel to implement any regulations
24 under the Richard B. Russell National School Lunch Act
25 (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966

1 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids
2 Act of 2010 (Public Law 111–296), or any other law that
3 would require a reduction in the quantity of sodium con-
4 tained in federally reimbursed meals, foods, and snacks
5 sold in schools below Target 1 (as described in section
6 220.8(f)(3) of title 7, Code of Federal Regulations (or suc-
7 cessor regulations)).

8 (c) For the period beginning on the date of enactment
9 of this Act through school year 2018–2019, notwith-
10 standing any other provision of law, the Secretary shall
11 allow States to grant special exemptions for the service
12 of flavored, low-fat fluid milk in the school lunch program
13 established under the Richard B. Russell National School
14 Lunch Act (42 U.S.C. 1751 et seq.) and the school break-
15 fast program established under the Child Nutrition Act
16 of 1966 (42 U.S.C. 1771 et seq.), and as a competitive
17 food available on campus during the school day, to schools
18 which demonstrate a reduction in student milk consump-
19 tion or an increase in school milk waste.

20 SEC. 744. Of the total amounts made available by
21 this Act for direct loans and grants in the following head-
22 ings: “Rural Housing Service—Rural Housing Insurance
23 Fund Program Account”; “Rural Housing Service—Mu-
24 tual and Self-Help Housing Grants”; “Rural Economic
25 Infrastructure Grants”; “Rural Housing Service—Rural

1 Community Facilities Program Account”; “Rural Busi-
2 ness-Cooperative Service—Rural Business Program Ac-
3 count”; “Rural Business-Cooperative Service—Rural Eco-
4 nomic Development Loans Program Account”; “Rural
5 Business-Cooperative Service—Rural Cooperative Devel-
6 opment Grants”; “Rural Utilities Service—Rural Water
7 and Waste Disposal Program Account”; and “Rural Utili-
8 ties Service—Rural Electrification and Telecommuni-
9 cations Loans Program Account”, at least 10 percent of
10 the funds shall be allocated for assistance in persistent
11 poverty counties under this section, including, notwith-
12 standing any other provision regarding population limits,
13 any county seat of such a persistent poverty county that
14 has a population that does not exceed the authorized popu-
15 lation limit by more than 10 percent: *Provided*, That for
16 purposes of this section, the term “persistent poverty
17 counties” means any county that has had 20 percent or
18 more of its population living in poverty over the past 30
19 years, as measured by the 1980, 1990, and 2000 decennial
20 censuses, and 2007–2011 American Community Survey 5-
21 year average: *Provided further*, That with respect to spe-
22 cific activities for which program levels have been made
23 available by this Act that are not supported by budget au-
24 thority, the requirements of this section shall be applied
25 to such program level.

1 SEC. 745. For the purposes of determining eligibility
2 or level of program assistance for Rural Development pro-
3 grams the Secretary shall not include incarcerated prison
4 populations.

5 SEC. 746. None of the funds appropriated by this Act
6 may be used in any way, directly or indirectly, to influence
7 congressional action on any legislation or appropriation
8 matters pending before Congress, other than to commu-
9 nicate to Members of Congress as described in 18 U.S.C.
10 1913.

11 SEC. 747. None of the funds made available by this
12 Act may be used to implement, administer, or enforce the
13 “variety” requirements of the final rule entitled “Enhanc-
14 ing Retailer Standards in the Supplemental Nutrition As-
15 sistance Program (SNAP)” published by the Department
16 of Agriculture in the Federal Register on December 15,
17 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
18 culture amends the definition of the term “variety” as de-
19 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
20 eral Regulations, and “variety” as applied in the definition
21 of the term “staple food” as defined in section 271.2 of
22 title 7, Code of Federal Regulations, to increase the num-
23 ber of items that qualify as acceptable varieties in each
24 staple food category so that the total number of such items
25 in each staple food category exceeds the number of such

1 items in each staple food category included in the final
2 rule as published on December 15, 2016: *Provided*, That
3 until the Secretary promulgates such regulatory amend-
4 ments, the Secretary shall apply the requirements regard-
5 ing acceptable varieties and breadth of stock to Supple-
6 mental Nutrition Assistance Program retailers that were
7 in effect on the day before the date of the enactment of
8 the Agricultural Act of 2014 (Public Law 113–79).

9 SEC. 748. None of the funds made available by this
10 Act may be used by the Food and Drug Administration
11 to develop, issue, promote, or advance any regulations ap-
12 plicable to food manufacturers for population-wide sodium
13 reduction actions or to develop, issue, promote or advance
14 final guidance applicable to food manufacturers for long
15 term population-wide sodium reduction actions until the
16 date on which a dietary reference intake report with re-
17 spect to sodium is completed.

18 SEC. 749. The Secretary of Agriculture and the Sec-
19 retary’s designees are hereby granted the same access to
20 information and subject to the same requirements applica-
21 ble to the Secretary of Housing and Urban Development
22 as provided in section 453 of the Social Security Act (42
23 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal
24 Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to
25 verify the income for individuals participating in sections

1 502, 504, 521, and 524 of the Housing Act of 1949 (42
2 U.S.C. 1972, 1474, 1490a, and 1490r), notwithstanding
3 section 453(l)(1) of the Social Security Act.

4 SEC. 750. Of the unobligated balances from amounts
5 made available to carry out section 6407 of the Farm Se-
6 curity and Rural Investment Act of 2002 (7 U.S.C.
7 8107a), \$8,000,000 are rescinded.

8 SEC. 751. None of the funds made available to the
9 Commodity Futures Trading Commission by this Act or
10 any other Act in the current fiscal year or any other fiscal
11 year may be used to pay the salaries and expenses of per-
12 sonnel to lower the de minimis quantity of swap dealing
13 established under section 1a(49)(D) of the Commodity Ex-
14 change Act (7 U.S.C. 1a(49)(D)) to less than
15 \$8,000,000,000.

16 SEC. 752. None of the funds made available by this
17 Act or any other Act in the current fiscal year or any other
18 fiscal year may be used to implement, administer, or en-
19 force the final rule with the regulation identifier number
20 0910-AG38 published by the Food and Drug Administra-
21 tion in the Federal Register on May 10, 2016 (81 Fed.
22 Reg. 28974) with respect to traditional large and premium
23 cigars. For the purposes of this section, the term “tradi-
24 tional large and premium cigar” means—

1 (1) any roll of tobacco that is wrapped in 100
2 percent leaf tobacco, is bunched with 100 percent to-
3 bacco filler, contains no filter, tip, or non-tobacco
4 mouthpiece, weighs at least 6 pounds per 1,000
5 count, and—

6 (A) has a 100 percent leaf tobacco binder
7 and is hand rolled;

8 (B) has a 100 percent leaf tobacco binder
9 and is made using human hands to lay the leaf
10 tobacco wrapper or binder onto only one ma-
11 chine that bunches, wraps, and caps each indi-
12 vidual cigar; or

13 (C) has a homogenized tobacco leaf binder
14 and is made in the United States using human
15 hands to lay the 100 percent leaf tobacco wrap-
16 per onto only one machine that bunches, wraps,
17 and caps each individual cigar; and

18 (2) is not a cigarette or a little cigar (as such
19 terms are defined in paragraphs (3) and (11), re-
20 spectively, of section 900 of the Federal Food, Drug,
21 and Cosmetic Act (21 U.S.C. 387)).

22 SEC. 753. (a) None of the funds appropriated or oth-
23 erwise made available by this Act or any other Act with
24 respect to any fiscal year may, for each tobacco product
25 which the Secretary of Health and Human Services by

1 regulation under section 901(b) of the Federal Food,
2 Drug, and Cosmetic Act (21 U.S.C. 387a(b)) deems to
3 be subject to chapter IX of such Act, be used to treat—

4 (1) any reference in sections 905(j) or 910(a) of such
5 Act (21 U.S.C. 387e(j), 387j(a)) to February 15, 2007,
6 as other than a reference to the effective date of the regu-
7 lation under which the tobacco product is deemed to be
8 subject to the requirements of such chapter pursuant to
9 section 901(b) of such Act (21 U.S.C. 387a(b)); and

10 (2) any reference in such sections to 21 months after
11 the date of enactment of the Family Smoking Prevention
12 and Tobacco Control Act as other than a reference to 21
13 months after the effective date of such deeming regulation.

14 (b)(1) Notwithstanding any other provision of law,
15 not later than 21 months after the date of enactment of
16 this Act, the Secretary of Health and Human Services
17 shall issue a notice of proposed rulemaking to establish
18 a product standard for vapor products pursuant to section
19 907 of the Federal Food, Drug, and Cosmetic Act (21
20 U.S.C. 387g) to include but not limited to—

21 (A) characterizing flavors; and

22 (B) batteries.

23 (2) Notwithstanding any other provision of law, not
24 later than 36 months after the date of enactment of this

1 Act, the Secretary shall promulgate a final rule pursuant
2 to such notice.

3 (c) A vapor product shall be deemed to be misbranded
4 under section 903(a) of the Federal Food, Drug, and Cos-
5 metic Act (21 U.S.C. 387c(a)) if the advertising with re-
6 spect to the vapor product is disseminated by a manufac-
7 turer, distributor, or retailer of the product in a news-
8 paper, magazine, periodical, or other publication (includ-
9 ing any publication of periodic or limited distribution)
10 other than an adult publication.

11 (d)(1) A retailer may only sell any vapor product in
12 a direct face-to-face exchange without the assistance of
13 any electronic or mechanical device (such as a vending ma-
14 chine).

15 (2) This subsection shall not apply with respect to
16 sales of vapor products conducted through—

17 (A) mail-order; or

18 (B) a vending machine or self-service display if, with
19 respect to the facility in which such vending machine or
20 display is located, the retailer of such products ensures
21 that no person under 18 years of age is present or per-
22 mitted to enter.

23 (3) A violation of this section is deemed to constitute
24 a violation of the Federal Food, Drug, and Cosmetic Act

1 relating to a tobacco product for purposes of section
2 303(f)(9) of such Act (21 U.S.C. 333(f)(9)).

3 (e)(1) Not later than 12 months after the date of en-
4 actment of this Act, the Secretary of Health and Human
5 Services shall promulgate final regulations to require that
6 the labeling of vapor products contain—

7 (A) the phrase “Keep Out of Reach of Chil-
8 dren”;

9 (B) the phrase “Underage Sale Prohibited”;
10 and

11 (C) an accurate statement of the nicotine con-
12 tent of the vapor product.

13 (2) A vapor product whose label is in violation of the
14 regulations required by paragraph (1) is deemed to be mis-
15 branded under section 903 of the Federal Food, Drug,
16 and Cosmetic Act (21 U.S.C. 387c).

17 (f)(1) Every person who owns or operates an estab-
18 lishment in any State engaged in the retail sale of a vapor
19 product shall register that establishment with the Sec-
20 retary of Health and Human Services within the later of
21 60 days after the date of enactment of this Act, or 30
22 days after first engaging in such retail sale.

23 (2) The requirements of this subsection do not apply
24 with respect to any establishment subject to an active reg-
25 istration under—

1 (A) any State law relating to tobacco products; or

2 (B) section 905 of the Federal Food, Drug, and Cos-
3 metic Act (21 U.S.C. 387e).

4 (3) The Secretary shall make available for inspection,
5 to any person so requesting, any registration filed under
6 this section.

7 (g) In this section:

8 (1) The term “adult publication” means any news-
9 paper, magazine, periodical, or other publication—

10 (A) whose readers younger than 18 years of age
11 constitute 15 percent or less of the total readership
12 as measured by competent and reliable survey evi-
13 dence; and

14 (B) that is read by fewer than 2 million persons
15 younger than 18 years of age as measured by com-
16 petent and reliable survey evidence.

17 (2) The terms “label” and “labeling” have the mean-
18 ings given to such terms in section 201 of the Federal
19 Food, Drug, and Cosmetic Act (21 U.S.C. 321).

20 (3) The term “tobacco product” has the meaning
21 given to such term in section 201 of the Federal Food,
22 Drug, and Cosmetic Act (21 U.S.C. 321).

23 (4) The term “vapor product”—

24 (A) means any non-combustible product that
25 employs a heating element, power source, electronic

1 circuit, or other electronic, chemical, or mechanical
2 means, regardless of shape or size, to produce vapor
3 from nicotine in a solution or other form;

4 (B) includes any electronic cigarette, electronic
5 cigar, electronic cigarillo, electronic pipe, or similar
6 product or device, and any vapor cartridge or other
7 container of nicotine in a solution or other form; and

8 (C) does not include any product regulated as
9 a drug or device by the Food and Drug Administra-
10 tion under chapter V of the Federal Food, Drug,
11 and Cosmetic Act (21 U.S.C. 351 et. seq.).

12 SEC. 754. (a) No funds shall be used to finalize the
13 proposed rule entitled “Eligibility of the People’s Republic
14 of China (PRC) to Export to the United States Poultry
15 Products from Birds Slaughtered in the PRC” published
16 in the Federal Register by the Department of Agriculture
17 on June 16, 2017 (82 Fed. Reg. 27625), unless the Sec-
18 retary of Agriculture shall—

19 (1) ensure that the poultry slaughter inspection
20 system for the PRC is equivalent to that of the U.S.;

21 (2) ensure that, before any poultry products
22 can enter the United States from any such poultry
23 plant, such poultry products comply with all other
24 applicable requirements for poultry products in
25 interstate commerce in the United States;

1 (3) conduct periodic verification reviews and au-
2 dits of any such plants in the PRC intending to ex-
3 port into the United States processed poultry prod-
4 ucts;

5 (4) conduct re-inspection of such poultry prod-
6 ucts at United States ports-of-entry to check the
7 general condition of such products, for the proper
8 certification and labeling of such products, and for
9 any damage to such products that may have oc-
10 curred during transportation; and

11 (5) ensure that shipments of any such poultry
12 products selected to enter the United States are sub-
13 ject to additional re-inspection procedures at appro-
14 priate levels to verify that the products comply with
15 relevant Federal regulations or standards, including
16 examinations for product defects and laboratory
17 analyses to detect harmful chemical residues or
18 pathogen testing appropriate for the products in-
19 volved.

20 (b) This section shall be applied in a manner con-
21 sistent with obligations of the United States under any
22 trade agreement to which the United States is a party.

23 SEC. 755. None of the funds made available by this
24 Act or funds from the Commodity Credit Corporation may
25 be used by the Secretary of Agriculture or provided to the

1 Department of Defense to purchase, produce, or defray
2 the costs of purchase or production of, or develop, facili-
3 tate, expedite, or expand production of, an alternative fuel
4 (under the meaning given such term by subparagraph (I)
5 of section 32901(a)(1) of title 49, United States Code)
6 for the Department of Defense.

7 SEC. 756. None of the funds made available by this
8 Act may be used to further implementation of the coastal
9 and marine spatial planning and ecosystem-based manage-
10 ment components of the National Ocean Policy developed
11 under Executive Order 13547.

12 SEC. 757. For necessary expenses to carry out the
13 activities described in section 1002(b)(4) of the 21st Cen-
14 tury Cures Act (Public Law 114–255), in addition to
15 amounts available for such activities under the heading
16 “Salaries and Expenses”, \$60,000,000, to remain avail-
17 able until expended, is provided for Department of Health
18 and Human Services—Food and Drug Administration—
19 FDA Innovation Account: *Provided*, That amounts appro-
20 priated by this section are appropriated pursuant to sec-
21 tion 1002(b)(3) of such Act, are to be derived from
22 amounts transferred under section 1002(b)(2)(A) of such
23 Act, and may be transferred by the Secretary of Health
24 and Human Services to other accounts of the Department
25 of Health and Human Services solely for the activities de-

1 scribed in section 1002(b)(4) such Act: *Provided further*,
2 That such transfer authority is in addition to any other
3 transfer authority provided by law.

4 SEC. 758. For an additional amount for “Animal and
5 Plant Health Inspection Service—Salaries and Expenses”,
6 \$5,500,000, to remain available until September 30, 2019,
7 for one-time control and management and associate activi-
8 ties directly related to the multiple-agency response to cit-
9 rus greening.

10 SEC. 759. There is hereby appropriated \$1,000,000,
11 to remain available until September 30, 2019, for the cost
12 of loans and grants consistent with section 243 of the De-
13 partment of Agriculture Reorganization Act of 1994 (7
14 U.S.C. 6953), for necessary expenses of the Secretary to
15 support projects under the healthy food financing initia-
16 tive that provide access to healthy food in underserved
17 areas, to create and preserve quality jobs, and to revitalize
18 low-income communities.

19 SEC. 760. The provisions of sections 202 and 320 of
20 H.R. 238, One Hundred Fifteenth Congress (the “Com-
21 modity End-User Relief Act”), as passed by the House
22 of Representatives on January 12, 2017, are hereby en-
23 acted into law, except that the amendment made by such
24 section 320 shall be added at the end of paragraph (47)
25 rather than (48).

1 REFERENCES TO ACT

2 SEC. 761. Except as expressly provided otherwise,
3 any reference to “this Act” contained in this division shall
4 be treated as referring only to the provisions of this divi-
5 sion.

6 REFERENCE TO REPORT

7 SEC. 762. Any reference to a “report accompanying
8 this Act” contained in this division shall be treated as a
9 reference to House Report 115–232. The effect of such
10 Report shall be limited to this division and shall apply for
11 purposes of determining the allocation of funds provided
12 by, and the implementation of, this division.

13 SPENDING REDUCTION ACCOUNT

14 SEC. 763. \$0.

15 This division may be cited as the “Agriculture, Rural
16 Development, Food and Drug Administration, and Re-
17 lated Agencies Appropriations Act, 2018”.

18 **DIVISION C—COMMERCE, JUSTICE,**
19 **SCIENCE, AND RELATED AGENCIES**
20 **APPROPRIATIONS ACT, 2018**

21 The following sums are appropriated, out of any
22 money in the Treasury not otherwise appropriated, for the
23 fiscal year ending September 30, 2018, and for other pur-
24 poses, namely:

1 TITLE I
2 DEPARTMENT OF COMMERCE
3 INTERNATIONAL TRADE ADMINISTRATION
4 OPERATIONS AND ADMINISTRATION

5 For necessary expenses for international trade activi-
6 ties of the Department of Commerce provided for by law,
7 and for engaging in trade promotional activities abroad,
8 including expenses of grants and cooperative agreements
9 for the purpose of promoting exports of United States
10 firms, without regard to sections 3702 and 3703 of title
11 44, United States Code; full medical coverage for depend-
12 ent members of immediate families of employees stationed
13 overseas and employees temporarily posted overseas; travel
14 and transportation of employees of the International
15 Trade Administration between two points abroad, without
16 regard to section 40118 of title 49, United States Code;
17 employment of citizens of the United States and aliens by
18 contract for services; rental of space abroad for periods
19 not exceeding 10 years, and expenses of alteration, repair,
20 or improvement; purchase or construction of temporary
21 demountable exhibition structures for use abroad; pay-
22 ment of tort claims, in the manner authorized in the first
23 paragraph of section 2672 of title 28, United States Code,
24 when such claims arise in foreign countries; not to exceed
25 \$294,300 for official representation expenses abroad; pur-

1 chase of passenger motor vehicles for official use abroad,
2 not to exceed \$45,000 per vehicle; obtaining insurance on
3 official motor vehicles; and rental of tie lines,
4 \$480,000,000, to remain available until September 30,
5 2019, of which \$13,000,000 is to be derived from fees to
6 be retained and used by the International Trade Adminis-
7 tration, notwithstanding section 3302 of title 31, United
8 States Code: *Provided*, That, of amounts provided under
9 this heading, not less than \$16,400,000 shall be for China
10 antidumping and countervailing duty enforcement and
11 compliance activities: *Provided further*, That the provisions
12 of the first sentence of section 105(f) and all of section
13 108(c) of the Mutual Educational and Cultural Exchange
14 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply
15 in carrying out these activities; and that for the purpose
16 of this Act, contributions under the provisions of the Mu-
17 tual Educational and Cultural Exchange Act of 1961 shall
18 include payment for assessments for services provided as
19 part of these activities.

20 BUREAU OF INDUSTRY AND SECURITY

21 OPERATIONS AND ADMINISTRATION

22 For necessary expenses for export administration and
23 national security activities of the Department of Com-
24 merce, including costs associated with the performance of
25 export administration field activities both domestically and

1 abroad; full medical coverage for dependent members of
2 immediate families of employees stationed overseas; em-
3 ployment of citizens of the United States and aliens by
4 contract for services abroad; payment of tort claims, in
5 the manner authorized in the first paragraph of section
6 2672 of title 28, United States Code, when such claims
7 arise in foreign countries; not to exceed \$13,500 for offi-
8 cial representation expenses abroad; awards of compensa-
9 tion to informers under the Export Administration Act of
10 1979, and as authorized by section 1(b) of the Act of June
11 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase
12 of passenger motor vehicles for official use and motor vehi-
13 cles for law enforcement use with special requirement vehi-
14 cles eligible for purchase without regard to any price limi-
15 tation otherwise established by law, \$112,500,000, to re-
16 main available until expended: *Provided*, That the provi-
17 sions of the first sentence of section 105(f) and all of sec-
18 tion 108(c) of the Mutual Educational and Cultural Ex-
19 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
20 apply in carrying out these activities: *Provided further*,
21 That payments and contributions collected and accepted
22 for materials or services provided as part of such activities
23 may be retained for use in covering the cost of such activi-
24 ties, and for providing information to the public with re-
25 spect to the export administration and national security

1 activities of the Department of Commerce and other ex-
2 port control programs of the United States and other gov-
3 ernments.

4 ECONOMIC DEVELOPMENT ADMINISTRATION

5 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

6 For grants for economic development assistance as
7 provided by the Public Works and Economic Development
8 Act of 1965, for trade adjustment assistance, and for
9 grants authorized by section 27 of the Stevenson-Wydler
10 Technology Innovation Act of 1980 (15 U.S.C. 3722),
11 \$140,000,000, to remain available until expended, of
12 which \$17,000,000 shall be for grants under such section
13 27.

14 SALARIES AND EXPENSES

15 For necessary expenses of administering the eco-
16 nomic development assistance programs as provided for by
17 law, \$36,000,000: *Provided*, That these funds may be used
18 to monitor projects approved pursuant to title I of the
19 Public Works Employment Act of 1976, title II of the
20 Trade Act of 1974, section 27 of the Stevenson-Wydler
21 Technology Innovation Act of 1980 (15 U.S.C. 3722), and
22 the Community Emergency Drought Relief Act of 1977.

1 MINORITY BUSINESS DEVELOPMENT AGENCY

2 MINORITY BUSINESS DEVELOPMENT

3 For necessary expenses of the Department of Com-
4 merce in fostering, promoting, and developing minority
5 business enterprise, including expenses of grants, con-
6 tracts, and other agreements with public or private organi-
7 zations, \$34,000,000.

8 BUREAU OF ECONOMIC ANALYSIS

9 SALARIES AND EXPENSES

10 For necessary expenses, as authorized by law, of eco-
11 nomic and statistical analysis programs of the Department
12 of Commerce, \$96,000,000, to remain available until Sep-
13 tember 30, 2019.

14 BUREAU OF THE CENSUS

15 CURRENT SURVEYS AND PROGRAMS

16 For necessary expenses for collecting, compiling, ana-
17 lyzing, preparing and publishing statistics, provided for by
18 law, \$256,000,000: *Provided*, That, from amounts pro-
19 vided herein, funds may be used for promotion, outreach,
20 and marketing activities: *Provided further*, That the Bu-
21 reau of the Census shall collect and analyze data for the
22 Annual Social and Economic Supplement to the Current
23 Population Survey using the same health insurance ques-
24 tions included in previous years, in addition to the revised

1 questions implemented in the Current Population Survey
2 beginning in February 2014.

3 PERIODIC CENSUSES AND PROGRAMS
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for collecting, compiling, ana-
6 lyzing, preparing and publishing statistics for periodic cen-
7 suses and programs provided for by law, \$1,251,000,000,
8 to remain available until September 30, 2019: *Provided*,
9 That, from amounts provided herein, funds may be used
10 for promotion, outreach, and marketing activities: *Pro-*
11 *vided further*, That within the amounts appropriated,
12 \$2,580,000 shall be transferred to the “Office of Inspector
13 General” account for activities associated with carrying
14 out investigations and audits related to the Bureau of the
15 Census: *Provided further*, That not more than 50 percent
16 of the amounts made available under this heading for in-
17 formation technology related to 2020 census delivery, in-
18 cluding the Census Enterprise Data Collection and Proc-
19 essing (CEDCaP) program, may be obligated until the
20 Secretary submits to the Committees on Appropriations
21 of the House of Representatives and the Senate a plan
22 for expenditure that: (1) identifies for each CEDCaP
23 project/investment over \$25,000: (A) the functional and
24 performance capabilities to be delivered and the mission
25 benefits to be realized; (B) the estimated lifecycle cost, in-

1 cluding estimates for development as well as maintenance
2 and operations; and (C) key milestones to be met; (2) de-
3 tails for each project/investment: (A) reasons for any cost
4 and schedule variances; and (B) top risks and mitigation
5 strategies; and (3) has been submitted to the Government
6 Accountability Office.

7 NATIONAL TELECOMMUNICATIONS AND INFORMATION

8 ADMINISTRATION

9 SALARIES AND EXPENSES

10 For necessary expenses, as provided for by law, of
11 the National Telecommunications and Information Ad-
12 ministration (NTIA), \$30,000,000: *Provided*, That, not-
13 withstanding 31 U.S.C. 1535(d), the Secretary of Com-
14 merce shall charge Federal agencies for costs incurred in
15 spectrum management, analysis, operations, and related
16 services, and such fees shall be retained and used as off-
17 setting collections for costs of such spectrum services, to
18 remain available until expended: *Provided further*, That
19 the Secretary of Commerce is authorized to retain and use
20 as offsetting collections all funds transferred, or previously
21 transferred, from other Government agencies for all costs
22 incurred in telecommunications research, engineering, and
23 related activities by the Institute for Telecommunication
24 Sciences of NTIA, in furtherance of its assigned functions
25 under this paragraph, and such funds received from other

1 Government agencies shall remain available until ex-
2 pended.

3 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
4 AND CONSTRUCTION

5 For the administration of prior-year grants, recov-
6 eries and unobligated balances of funds previously appro-
7 priated are available for the administration of all open
8 grants until their expiration.

9 UNITED STATES PATENT AND TRADEMARK OFFICE
10 SALARIES AND EXPENSES
11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the United States Patent
13 and Trademark Office (USPTO) provided for by law, in-
14 cluding defense of suits instituted against the Under Sec-
15 retary of Commerce for Intellectual Property and Director
16 of the USPTO, \$3,500,000,000, to remain available until
17 expended: *Provided*, That the sum herein appropriated
18 from the general fund shall be reduced as offsetting collec-
19 tions of fees and surcharges assessed and collected by the
20 USPTO under any law are received during fiscal year
21 2018, so as to result in a fiscal year 2018 appropriation
22 from the general fund estimated at \$0: *Provided further*,
23 That during fiscal year 2018, should the total amount of
24 such offsetting collections be less than \$3,500,000,000
25 this amount shall be reduced accordingly: *Provided fur-*

1 *ther*, That any amount received in excess of
2 \$3,500,000,000 in fiscal year 2018 and deposited in the
3 Patent and Trademark Fee Reserve Fund shall remain
4 available until expended: *Provided further*, That the Direc-
5 tor of USPTO shall submit a spending plan to the Com-
6 mittees on Appropriations of the House of Representatives
7 and the Senate for any amounts made available by the
8 preceding proviso and such spending plan shall be treated
9 as a reprogramming under section 505 of this Act and
10 shall not be available for obligation or expenditure except
11 in compliance with the procedures set forth in that section:
12 *Provided further*, That any amounts reprogrammed in ac-
13 cordance with the preceding proviso shall be transferred
14 to the United States Patent and Trademark Office “Sala-
15 ries and Expenses” account: *Provided further*, That from
16 amounts provided herein, not to exceed \$900 shall be
17 made available in fiscal year 2018 for official reception
18 and representation expenses: *Provided further*, That in fis-
19 cal year 2018 from the amounts made available for “Sala-
20 ries and Expenses” for the USPTO, the amounts nec-
21 essary to pay (1) the difference between the percentage
22 of basic pay contributed by the USPTO and employees
23 under section 8334(a) of title 5, United States Code, and
24 the normal cost percentage (as defined by section
25 8331(17) of that title) as provided by the Office of Per-

1 sonnel Management (OPM) for USPTO’s specific use, of
2 basic pay, of employees subject to subchapter III of chap-
3 ter 83 of that title, and (2) the present value of the other-
4 wise unfunded accruing costs, as determined by OPM for
5 USPTO’s specific use of post-retirement life insurance
6 and post-retirement health benefits coverage for all
7 USPTO employees who are enrolled in Federal Employees
8 Health Benefits (FEHB) and Federal Employees Group
9 Life Insurance (FEGLI), shall be transferred to the Civil
10 Service Retirement and Disability Fund, the FEGLI
11 Fund, and the FEHB Fund, as appropriate, and shall be
12 available for the authorized purposes of those accounts:
13 *Provided further*, That any differences between the present
14 value factors published in OPM’s yearly 300 series benefit
15 letters and the factors that OPM provides for USPTO’s
16 specific use shall be recognized as an imputed cost on
17 USPTO’s financial statements, where applicable: *Provided*
18 *further*, That, notwithstanding any other provision of law,
19 all fees and surcharges assessed and collected by USPTO
20 are available for USPTO only pursuant to section 42(c)
21 of title 35, United States Code, as amended by section
22 22 of the Leahy-Smith America Invents Act (Public Law
23 112–29): *Provided further*, That within the amounts ap-
24 propriated, \$2,000,000 shall be transferred to the “Office
25 of Inspector General” account for activities associated

1 with carrying out investigations and audits related to the
2 USPTO.

3 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
4 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the National Institute of
7 Standards and Technology (NIST), \$660,000,000, to re-
8 main available until expended, of which not to exceed
9 \$9,000,000 may be transferred to the “Working Capital
10 Fund”: *Provided*, That not to exceed \$5,000 shall be for
11 official reception and representation expenses: *Provided*
12 *further*, That NIST may provide local transportation for
13 summer undergraduate research fellowship program par-
14 ticipants.

15 INDUSTRIAL TECHNOLOGY SERVICES

16 For necessary expenses for industrial technology
17 services, \$105,000,000, to remain available until ex-
18 pended, of which \$100,000,000 shall be for the Hollings
19 Manufacturing Extension Partnership, and of which
20 \$5,000,000 shall be for the National Network for Manu-
21 facturing Innovation.

22 CONSTRUCTION OF RESEARCH FACILITIES

23 For construction of new research facilities, including
24 architectural and engineering design, and for renovation
25 and maintenance of existing facilities, not otherwise pro-

1 vided for the National Institute of Standards and Tech-
2 nology, as authorized by sections 13 through 15 of the
3 National Institute of Standards and Technology Act (15
4 U.S.C. 278c–278e), \$100,000,000, to remain available
5 until expended: *Provided*, That the Secretary of Commerce
6 shall include in the budget justification materials that the
7 Secretary submits to Congress in support of the Depart-
8 ment of Commerce budget (as submitted with the budget
9 of the President under section 1105(a) of title 31, United
10 States Code) an estimate for each National Institute of
11 Standards and Technology construction project having a
12 total multi-year program cost of more than \$5,000,000,
13 and simultaneously the budget justification materials shall
14 include an estimate of the budgetary requirements for
15 each such project for each of the 5 subsequent fiscal years.

16 NATIONAL OCEANIC AND ATMOSPHERIC

17 ADMINISTRATION

18 OPERATIONS, RESEARCH, AND FACILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses of activities authorized by law
21 for the National Oceanic and Atmospheric Administration,
22 including maintenance, operation, and hire of aircraft and
23 vessels; grants, contracts, or other payments to nonprofit
24 organizations for the purposes of conducting activities
25 pursuant to cooperative agreements; and relocation of fa-

1 cilities, \$3,240,199,000, to remain available until Sep-
2 tember 30, 2019, except that funds provided for coopera-
3 tive enforcement shall remain available until September
4 30, 2020: *Provided*, That fees and donations received by
5 the National Ocean Service for the management of na-
6 tional marine sanctuaries may be retained and used for
7 the salaries and expenses associated with those activities,
8 notwithstanding section 3302 of title 31, United States
9 Code: *Provided further*, That in addition, \$144,000,000
10 shall be derived by transfer from the fund entitled “Pro-
11 mote and Develop Fishery Products and Research Per-
12 taining to American Fisheries”, which shall only be used
13 for fishery activities related to the Saltonstall-Kennedy
14 Grant Program, Cooperative Research, Annual Stock As-
15 sessments, Survey and Monitoring Projects, Interjurisdic-
16 tional Fisheries Grants, and Fish Information Networks:
17 *Provided further*, That of the \$3,411,699,000 provided for
18 in direct obligations under this heading, \$3,240,199,000
19 is appropriated from the general fund, \$144,000,000 is
20 provided by transfer and \$27,500,000 is derived from re-
21 coveries of prior year obligations: *Provided further*, That
22 any deviation from the amounts designated for specific ac-
23 tivities in the report accompanying this Act, or any use
24 of deobligated balances of funds provided under this head-
25 ing in previous years, shall be subject to the procedures

1 set forth in section 505 of this Act: *Provided further*, That
2 in addition, for necessary retired pay expenses under the
3 Retired Serviceman's Family Protection and Survivor
4 Benefits Plan, and for payments for the medical care of
5 retired personnel and their dependents under the Depend-
6 ents' Medical Care Act (10 U.S.C. ch. 55), such sums as
7 may be necessary.

8 PROCUREMENT, ACQUISITION AND CONSTRUCTION
9 (INCLUDING TRANSFER OF FUNDS)

10 For procurement, acquisition and construction of
11 capital assets, including alteration and modification costs,
12 of the National Oceanic and Atmospheric Administration,
13 \$1,643,110,000, to remain available until September 30,
14 2020, except that funds provided for acquisition and con-
15 struction of vessels and construction of facilities shall re-
16 main available until expended: *Provided*, That of the
17 \$1,656,110,000 provided for in direct obligations under
18 this heading, \$1,643,110,000 is appropriated from the
19 general fund and \$13,000,000 is provided from recoveries
20 of prior year obligations: *Provided further*, That any devi-
21 ation from the amounts designated for specific activities
22 in the report accompanying this Act, or any use of
23 deobligated balances of funds provided under this heading
24 in previous years, shall be subject to the procedures set
25 forth in section 505 of this Act: *Provided further*, That

1 the Secretary of Commerce shall include in budget jus-
2 tification materials that the Secretary submits to Congress
3 in support of the Department of Commerce budget (as
4 submitted with the budget of the President under section
5 1105(a) of title 31, United States Code) an estimate for
6 each National Oceanic and Atmospheric Administration
7 procurement, acquisition or construction project having a
8 total of more than \$5,000,000 and simultaneously the
9 budget justification shall include an estimate of the budg-
10 etary requirements for each such project for each of the
11 5 subsequent fiscal years: *Provided further*, That, within
12 the amounts appropriated, \$1,302,000 shall be transferred
13 to the “Office of Inspector General” account for activities
14 associated with carrying out investigations and audits re-
15 lated to satellite procurement, acquisition and construc-
16 tion.

17 PACIFIC COASTAL SALMON RECOVERY

18 For necessary expenses associated with the restora-
19 tion of Pacific salmon populations, \$65,000,000, to re-
20 main available until September 30, 2019: *Provided*, That,
21 of the funds provided herein, the Secretary of Commerce
22 may issue grants to the States of Washington, Oregon,
23 Idaho, Nevada, California, and Alaska, and to the Feder-
24 ally recognized tribes of the Columbia River and Pacific
25 Coast (including Alaska), for projects necessary for con-

1 servation of salmon and steelhead populations that are
2 listed as threatened or endangered, or that are identified
3 by a State as at-risk to be so listed, for maintaining popu-
4 lations necessary for exercise of tribal treaty fishing rights
5 or native subsistence fishing, or for conservation of Pacific
6 coastal salmon and steelhead habitat, based on guidelines
7 to be developed by the Secretary of Commerce: *Provided*
8 *further*, That all funds shall be allocated based on sci-
9 entific and other merit principles and shall not be available
10 for marketing activities: *Provided further*, That funds dis-
11 bursed to States shall be subject to a matching require-
12 ment of funds or documented in-kind contributions of at
13 least 33 percent of the Federal funds.

14 FISHERMEN'S CONTINGENCY FUND

15 For carrying out the provisions of title IV of Public
16 Law 95-372, not to exceed \$350,000, to be derived from
17 receipts collected pursuant to that Act, to remain available
18 until expended.

19 FISHERIES DISASTER ASSISTANCE

20 For the necessary expenses associated with the miti-
21 gation of fishery disasters, \$20,000,000 to remain avail-
22 able until expended: *Provided*, That funds shall be used
23 for mitigating the effects of commercial fishery failures
24 and fishery resource disasters as declared by the Secretary
25 of Commerce in 2017.

1 FISHERIES FINANCE PROGRAM ACCOUNT

2 Subject to section 502 of the Congressional Budget
3 Act of 1974, during fiscal year 2018, obligations of direct
4 loans may not exceed \$24,000,000 for Individual Fishing
5 Quota loans and not to exceed \$100,000,000 for tradi-
6 tional direct loans as authorized by the Merchant Marine
7 Act of 1936.

8 DEPARTMENTAL MANAGEMENT

9 SALARIES AND EXPENSES

10 For necessary expenses for the management of the
11 Department of Commerce provided for by law, including
12 not to exceed \$4,500 for official reception and representa-
13 tion, \$58,000,000.

14 RENOVATION AND MODERNIZATION

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses for the renovation and mod-
17 ernization of the Herbert C. Hoover Building, \$1,000,000,
18 to remain available until expended: *Provided*, That the
19 Secretary of Commerce may transfer up to \$8,224,000 to
20 this account from funds available to the Department of
21 Commerce: *Provided further*, That the transfer authority
22 provided in the first proviso is in addition to any other
23 transfer authority contained in this Act: *Provided further*,
24 That any transfer pursuant to the authority provided
25 under this heading shall be treated as a reprogramming

1 under section 505 of this Act and shall not be available
2 for obligation or expenditure except in compliance with the
3 procedures set forth in that section.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978 (5 U.S.C. App.), \$32,744,000.

8 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE
9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 101. During the current fiscal year, applicable
11 appropriations and funds made available to the Depart-
12 ment of Commerce by this Act shall be available for the
13 activities specified in the Act of October 26, 1949 (15
14 U.S.C. 1514), to the extent and in the manner prescribed
15 by the Act, and, notwithstanding 31 U.S.C. 3324, may
16 be used for advanced payments not otherwise authorized
17 only upon the certification of officials designated by the
18 Secretary of Commerce that such payments are in the
19 public interest.

20 SEC. 102. During the current fiscal year, appropria-
21 tions made available to the Department of Commerce by
22 this Act for salaries and expenses shall be available for
23 hire of passenger motor vehicles as authorized by 31
24 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.

1 3109; and uniforms or allowances therefor, as authorized
2 by law (5 U.S.C. 5901–5902).

3 SEC. 103. Not to exceed 5 percent of any appropria-
4 tion made available for the current fiscal year for the De-
5 partment of Commerce in this Act may be transferred be-
6 tween such appropriations, but no such appropriation shall
7 be increased by more than 10 percent by any such trans-
8 fers: *Provided*, That any transfer pursuant to this section
9 shall be treated as a reprogramming of funds under sec-
10 tion 505 of this Act and shall not be available for obliga-
11 tion or expenditure except in compliance with the proce-
12 dures set forth in that section: *Provided further*, That the
13 Secretary of Commerce shall notify the Committees on Ap-
14 propriations at least 15 days in advance of the acquisition
15 or disposal of any capital asset (including land, structures,
16 and equipment) not specifically provided for in this Act
17 or any other law appropriating funds for the Department
18 of Commerce.

19 SEC. 104. The requirements set forth by section 105
20 of the Commerce, Justice, Science, and Related Agencies
21 Appropriations Act, 2012 (Public Law 112–55), as
22 amended by section 105 of title I of division B of Public
23 Law 113–6, are hereby adopted by reference and made
24 applicable with respect to fiscal year 2018: *Provided*, That
25 the life cycle cost for the Joint Polar Satellite System is

1 \$11,322,125,000 and the life cycle cost for the Geo-
2 stationary Operational Environmental Satellite R-Series
3 Program is \$10,828,059,000.

4 SEC. 105. Notwithstanding any other provision of
5 law, the Secretary may furnish services (including but not
6 limited to utilities, telecommunications, and security serv-
7 ices) necessary to support the operation, maintenance, and
8 improvement of space that persons, firms, or organizations
9 are authorized, pursuant to the Public Buildings Coopera-
10 tive Use Act of 1976 or other authority, to use or occupy
11 in the Herbert C. Hoover Building, Washington, DC, or
12 other buildings, the maintenance, operation, and protec-
13 tion of which has been delegated to the Secretary from
14 the Administrator of General Services pursuant to the
15 Federal Property and Administrative Services Act of 1949
16 on a reimbursable or non-reimbursable basis. Amounts re-
17 ceived as reimbursement for services provided under this
18 section or the authority under which the use or occupancy
19 of the space is authorized, up to \$200,000, shall be cred-
20 ited to the appropriation or fund which initially bears the
21 costs of such services.

22 SEC. 106. Nothing in this title shall be construed to
23 prevent a grant recipient from deterring child pornog-
24 raphy, copyright infringement, or any other unlawful ac-
25 tivity over its networks.

1 SEC. 107. The Administrator of the National Oceanic
2 and Atmospheric Administration is authorized to use, with
3 their consent, with reimbursement and subject to the lim-
4 its of available appropriations, the land, services, equip-
5 ment, personnel, and facilities of any department, agency,
6 or instrumentality of the United States, or of any State,
7 local government, Indian tribal government, Territory, or
8 possession, or of any political subdivision thereof, or of
9 any foreign government or international organization, for
10 purposes related to carrying out the responsibilities of any
11 statute administered by the National Oceanic and Atmos-
12 pheric Administration.

13 SEC. 108. The National Technical Information Serv-
14 ice shall not charge any customer for a copy of any report
15 or document generated by the Legislative Branch unless
16 the Service has provided information to the customer on
17 how an electronic copy of such report or document may
18 be accessed and downloaded for free online. Should a cus-
19 tomer still require the Service to provide a printed or dig-
20 ital copy of the report or document, the charge shall be
21 limited to recovering the Service's cost of processing, re-
22 producing, and delivering such report or document.

23 SEC. 109. To carry out the responsibilities of the Na-
24 tional Oceanic and Atmospheric Administration (NOAA),
25 the Administrator of NOAA is authorized to: (1) enter

1 into grants and cooperative agreements with; (2) use on
2 a non-reimbursable basis land, services, equipment, per-
3 sonnel, and facilities provided by; and (3) receive and ex-
4 pend funds made available on a consensual basis from: a
5 Federal agency, State or subdivision thereof, local govern-
6 ment, tribal government, territory, or possession or any
7 subdivisions thereof: *Provided*, That funds received for
8 permitting and related regulatory activities pursuant to
9 this section shall be deposited under the heading “Na-
10 tional Oceanic and Atmospheric Administration—Oper-
11 ations, Research, and Facilities” and shall remain avail-
12 able until September 30, 2020, for such purposes: *Pro-*
13 *vided further*, That all funds within this section and their
14 corresponding uses are subject to section 505 of this Act.

15 This title may be cited as the “Department of Com-
16 merce Appropriations Act, 2018”.

17 TITLE II

18 DEPARTMENT OF JUSTICE

19 GENERAL ADMINISTRATION

20 SALARIES AND EXPENSES

21 For expenses necessary for the administration of the
22 Department of Justice, \$89,000,000, of which not to ex-
23 ceed \$4,000,000 for security and construction of Depart-
24 ment of Justice facilities shall remain available until ex-
25 pended.

1 JUSTICE INFORMATION SHARING TECHNOLOGY

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for information sharing tech-
4 nology, including planning, development, deployment and
5 departmental direction, \$30,941,000, to remain available
6 until expended: *Provided*, That the Attorney General may
7 transfer up to \$35,400,000 to this account, from funds
8 available to the Department of Justice for information
9 technology, to remain available until expended, for enter-
10 prise-wide information technology initiatives: *Provided fur-*
11 *ther*, That the transfer authority in the preceding proviso
12 is in addition to any other transfer authority contained
13 in this Act: *Provided further*, That any transfer pursuant
14 to the first proviso shall be treated as a reprogramming
15 under section 505 of this Act and shall not be available
16 for obligation or expenditure except in compliance with the
17 procedures set forth in that section.

18 EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses necessary for the administration of im-
21 migration-related activities of the Executive Office for Im-
22 migration Review, \$504,500,000, of which \$4,000,000
23 shall be derived by transfer from the Executive Office for
24 Immigration Review fees deposited in the “Immigration
25 Examinations Fee” account: *Provided*, That not to exceed

1 \$35,000,000 of the total amount made available under
2 this heading shall remain available until expended.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General, \$95,583,000, including not to exceed \$10,000 to
6 meet unforeseen emergencies of a confidential character.

7 UNITED STATES PAROLE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the United States Parole
10 Commission as authorized, \$13,000,000: *Provided*, That,
11 notwithstanding any other provision of law, upon the expi-
12 ration of a term of office of a Commissioner, the Commis-
13 sioner may continue to act until a successor has been ap-
14 pointed.

15 LEGAL ACTIVITIES

16 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

17 For expenses necessary for the legal activities of the
18 Department of Justice, not otherwise provided for, includ-
19 ing not to exceed \$20,000 for expenses of collecting evi-
20 dence, to be expended under the direction of, and to be
21 accounted for solely under the certificate of, the Attorney
22 General; the administration of pardon and clemency peti-
23 tions; and rent of private or Government-owned space in
24 the District of Columbia, \$897,500,000, of which not to
25 exceed \$20,000,000 for litigation support contracts shall

1 remain available until expended: *Provided*, That of the
2 amount provided for INTERPOL Washington dues pay-
3 ments, not to exceed \$685,000 shall remain available until
4 expended: *Provided further*, That of the total amount ap-
5 propriated, not to exceed \$9,000 shall be available to
6 INTERPOL Washington for official reception and rep-
7 resentation expenses: *Provided further*, That of the
8 amount appropriated, such sums as may be necessary
9 shall be available to the Civil Rights Division for salaries
10 and expenses associated with the election monitoring pro-
11 gram under section 8 of the Voting Rights Act of 1965
12 (52 U.S.C. 10305) and to reimburse the Office of Per-
13 sonnel Management for such salaries and expenses: *Pro-*
14 *vided further*, That of the amounts provided under this
15 heading for the election monitoring program, \$3,390,000
16 shall remain available until expended.

17 In addition, for reimbursement of expenses of the De-
18 partment of Justice associated with processing cases
19 under the National Childhood Vaccine Injury Act of 1986,
20 not to exceed \$10,000,000, to be appropriated from the
21 Vaccine Injury Compensation Trust Fund.

22 SALARIES AND EXPENSES, ANTITRUST DIVISION

23 For expenses necessary for the enforcement of anti-
24 trust and kindred laws, \$163,980,000, to remain available
25 until expended: *Provided*, That notwithstanding any other

1 provision of law, fees collected for premerger notification
2 filings under the Hart-Scott-Rodino Antitrust Improve-
3 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
4 of collection (and estimated to be \$126,000,000 in fiscal
5 year 2018), shall be retained and used for necessary ex-
6 penses in this appropriation, and shall remain available
7 until expended: *Provided further*, That the sum herein ap-
8 propriated from the general fund shall be reduced as such
9 offsetting collections are received during fiscal year 2018,
10 so as to result in a final fiscal year 2018 appropriation
11 from the general fund estimated at \$37,980,000.

12 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

13 For necessary expenses of the Offices of the United
14 States Attorneys, including inter-governmental and coop-
15 erative agreements, \$2,057,252,000: *Provided*, That of the
16 total amount appropriated, not to exceed \$7,200 shall be
17 available for official reception and representation ex-
18 penses: *Provided further*, That not to exceed \$25,000,000
19 shall remain available until expended: *Provided further*,
20 That each United States Attorney shall establish or par-
21 ticipate in a task force on human trafficking.

22 UNITED STATES TRUSTEE SYSTEM FUND

23 For necessary expenses of the United States Trustee
24 Program, as authorized, \$225,000,000, to remain avail-
25 able until expended: *Provided*, That, notwithstanding any

1 other provision of law, deposits to the United States
2 Trustee System Fund and amounts herein appropriated
3 shall be available in such amounts as may be necessary
4 to pay refunds due depositors: *Provided further*, That, not-
5 withstanding any other provision of law, fees collected pur-
6 suant to section 589a(b) of title 28, United States Code,
7 shall be retained and used for necessary expenses in this
8 appropriation and shall remain available until expended:
9 *Provided further*, That to the extent that fees collected in
10 fiscal year 2018, net of amounts necessary to pay refunds
11 due depositors, exceed \$225,000,000, those excess
12 amounts shall be available in future fiscal years only to
13 the extent provided in advance in appropriations Acts:
14 *Provided further*, That the sum herein appropriated from
15 the general fund shall be reduced (1) as such fees are re-
16 ceived during fiscal year 2018, net of amounts necessary
17 to pay refunds due depositors, (estimated at
18 \$135,000,000) and (2) to the extent that any remaining
19 general fund appropriations can be derived from amounts
20 deposited in the Fund in previous fiscal years that are not
21 otherwise appropriated, so as to result in a final fiscal year
22 2018 appropriation from the general fund estimated at
23 \$90,000,000.

1 SALARIES AND EXPENSES, FOREIGN CLAIMS

2 SETTLEMENT COMMISSION

3 For expenses necessary to carry out the activities of
4 the Foreign Claims Settlement Commission, including
5 services as authorized by section 3109 of title 5, United
6 States Code, \$2,374,000.

7 FEES AND EXPENSES OF WITNESSES

8 For fees and expenses of witnesses, for expenses of
9 contracts for the procurement and supervision of expert
10 witnesses, for private counsel expenses, including ad-
11 vances, and for expenses of foreign counsel, \$270,000,000,
12 to remain available until expended, of which not to exceed
13 \$16,000,000 is for construction of buildings for protected
14 witness safesites; not to exceed \$3,000,000 is for the pur-
15 chase and maintenance of armored and other vehicles for
16 witness security caravans; and not to exceed \$13,000,000
17 is for the purchase, installation, maintenance, and up-
18 grade of secure telecommunications equipment and a se-
19 cure automated information network to store and retrieve
20 the identities and locations of protected witnesses: *Pro-*
21 *vided*, That amounts made available under this heading
22 may not be transferred pursuant to section 205 of this
23 Act.

1 SALARIES AND EXPENSES, COMMUNITY RELATIONS

2 SERVICE

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Community Relations
5 Service, \$15,000,000: *Provided*, That notwithstanding sec-
6 tion 205 of this Act, upon a determination by the Attorney
7 General that emergent circumstances require additional
8 funding for conflict resolution and violence prevention ac-
9 tivities of the Community Relations Service, the Attorney
10 General may transfer such amounts to the Community Re-
11 lations Service, from available appropriations for the cur-
12 rent fiscal year for the Department of Justice, as may be
13 necessary to respond to such circumstances: *Provided fur-*
14 *ther*, That any transfer pursuant to the preceding proviso
15 shall be treated as a reprogramming under section 505
16 of this Act and shall not be available for obligation or ex-
17 penditure except in compliance with the procedures set
18 forth in that section.

19 ASSETS FORFEITURE FUND

20 For expenses authorized by subparagraphs (B), (F),
21 and (G) of section 524(c)(1) of title 28, United States
22 Code, \$20,514,000, to be derived from the Department
23 of Justice Assets Forfeiture Fund.

1 UNITED STATES MARSHALS SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Mar-
4 shals Service, \$1,255,000,000, of which not to exceed
5 \$6,000 shall be available for official reception and rep-
6 resentation expenses, and not to exceed \$15,000,000 shall
7 remain available until expended.

8 CONSTRUCTION

9 For construction in space controlled, occupied or uti-
10 lized by the United States Marshals Service for prisoner
11 holding and related support, \$10,000,000, to remain avail-
12 able until expended.

13 FEDERAL PRISONER DETENTION

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses related to United States pris-
16 oners in the custody of the United States Marshals Service
17 as authorized by section 4013 of title 18, United States
18 Code, \$1,536,000,000, to remain available until expended:
19 *Provided*, That not to exceed \$20,000,000 shall be consid-
20 ered “funds appropriated for State and local law enforce-
21 ment assistance” pursuant to section 4013(b) of title 18,
22 United States Code: *Provided further*, That the United
23 States Marshals Service shall be responsible for managing
24 the Justice Prisoner and Alien Transportation System:
25 *Provided further*, That any unobligated balances available

1 from funds appropriated under the heading “General Ad-
2 ministration, Detention Trustee” shall be transferred to
3 and merged with the appropriation under this heading.

4 NATIONAL SECURITY DIVISION

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFER OF FUNDS)

7 For expenses necessary to carry out the activities of
8 the National Security Division, \$100,000,000, of which
9 not to exceed \$5,000,000 for information technology sys-
10 tems shall remain available until expended: *Provided*, That
11 notwithstanding section 205 of this Act, upon a deter-
12 mination by the Attorney General that emergent cir-
13 cumstances require additional funding for the activities of
14 the National Security Division, the Attorney General may
15 transfer such amounts to this heading from available ap-
16 propriations for the current fiscal year for the Department
17 of Justice, as may be necessary to respond to such cir-
18 cumstances: *Provided further*, That any transfer pursuant
19 to the preceding proviso shall be treated as a reprogram-
20 ming under section 505 of this Act and shall not be avail-
21 able for obligation or expenditure except in compliance
22 with the procedures set forth in that section.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For necessary expenses for the identification, inves-
4 tigation, and prosecution of individuals associated with the
5 most significant drug trafficking organizations,
6 transnational organized crime, and money laundering or-
7 ganizations not otherwise provided for, to include inter-
8 governmental agreements with State and local law en-
9 forcement agencies engaged in the investigation and pros-
10 ecution of individuals involved in transnational organized
11 crime and drug trafficking, \$526,000,000, of which
12 \$50,000,000 shall remain available until expended: *Pro-*
13 *vided*, That any amounts obligated from appropriations
14 under this heading may be used under authorities avail-
15 able to the organizations reimbursed from this appropria-
16 tion.

17 FEDERAL BUREAU OF INVESTIGATION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Bureau of In-
20 vestigation for detection, investigation, and prosecution of
21 crimes against the United States, \$8,814,747,000, of
22 which not to exceed \$216,900,000 shall remain available
23 until expended: *Provided*, That not to exceed \$184,500
24 shall be available for official reception and representation
25 expenses.

1 CONSTRUCTION

2 For necessary expenses, to include the cost of equip-
3 ment, furniture, and information technology requirements,
4 related to construction or acquisition of buildings, facili-
5 ties and sites by purchase, or as otherwise authorized by
6 law; conversion, modification and extension of federally
7 owned buildings; preliminary planning and design of
8 projects; and operation and maintenance of secure work
9 environment facilities and secure networking capabilities;
10 \$51,895,000, to remain available until expended.

11 DRUG ENFORCEMENT ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Drug Enforcement Ad-
14 ministration, including not to exceed \$70,000 to meet un-
15 foreseen emergencies of a confidential character pursuant
16 to section 530C of title 28, United States Code; and ex-
17 penses for conducting drug education and training pro-
18 grams, including travel and related expenses for partici-
19 pants in such programs and the distribution of items of
20 token value that promote the goals of such programs,
21 \$2,164,051,000, of which not to exceed \$75,000,000 shall
22 remain available until expended and not to exceed \$90,000
23 shall be available for official reception and representation
24 expenses.

1 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
2 EXPLOSIVES
3 SALARIES AND EXPENSES

4 For necessary expenses of the Bureau of Alcohol, To-
5 bacco, Firearms and Explosives, for training of State and
6 local law enforcement agencies with or without reimburse-
7 ment, including training in connection with the training
8 and acquisition of canines for explosives and fire
9 accelerants detection; and for provision of laboratory as-
10 sistance to State and local law enforcement agencies, with
11 or without reimbursement, \$1,293,776,000, of which not
12 to exceed \$36,000 shall be for official reception and rep-
13 resentation expenses, not to exceed \$1,000,000 shall be
14 available for the payment of attorneys' fees as provided
15 by section 924(d)(2) of title 18, United States Code, and
16 not to exceed \$20,000,000 shall remain available until ex-
17 pended: *Provided*, That none of the funds appropriated
18 herein shall be available to investigate or act upon applica-
19 tions for relief from Federal firearms disabilities under
20 section 925(c) of title 18, United States Code: *Provided*
21 *further*, That such funds shall be available to investigate
22 and act upon applications filed by corporations for relief
23 from Federal firearms disabilities under section 925(c) of
24 title 18, United States Code: *Provided further*, That no
25 funds made available by this or any other Act may be used

1 to transfer the functions, missions, or activities of the Bu-
2 reau of Alcohol, Tobacco, Firearms and Explosives to
3 other agencies or Departments.

4 FEDERAL PRISON SYSTEM

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses of the Federal Prison System
8 for the administration, operation, and maintenance of
9 Federal penal and correctional institutions, and for the
10 provision of technical assistance and advice on corrections
11 related issues to foreign governments, \$7,070,248,000:
12 *Provided*, That the Attorney General may transfer to the
13 Department of Health and Human Services such amounts
14 as may be necessary for direct expenditures by that De-
15 partment for medical relief for inmates of Federal penal
16 and correctional institutions: *Provided further*, That the
17 Director of the Federal Prison System, where necessary,
18 may enter into contracts with a fiscal agent or fiscal inter-
19 mediary claims processor to determine the amounts pay-
20 able to persons who, on behalf of the Federal Prison Sys-
21 tem, furnish health services to individuals committed to
22 the custody of the Federal Prison System: *Provided fur-*
23 *ther*, That not to exceed \$5,400 shall be available for offi-
24 cial reception and representation expenses: *Provided fur-*
25 *ther*, That not to exceed \$50,000,000 shall remain avail-

1 able for necessary operations until September 30, 2019:
2 *Provided further*, That, of the amounts provided for con-
3 tract confinement, not to exceed \$20,000,000 shall remain
4 available until expended to make payments in advance for
5 grants, contracts and reimbursable agreements, and other
6 expenses: *Provided further*, That the Director of the Fed-
7 eral Prison System may accept donated property and serv-
8 ices relating to the operation of the prison card program
9 from a not-for-profit entity which has operated such pro-
10 gram in the past, notwithstanding the fact that such not-
11 for-profit entity furnishes services under contracts to the
12 Federal Prison System relating to the operation of pre-
13 release services, halfway houses, or other custodial facili-
14 ties.

15 BUILDINGS AND FACILITIES

16 For planning, acquisition of sites and construction of
17 new facilities; purchase and acquisition of facilities and re-
18 modeling, and equipping of such facilities for penal and
19 correctional use, including all necessary expenses incident
20 thereto, by contract or force account; and constructing,
21 remodeling, and equipping necessary buildings and facili-
22 ties at existing penal and correctional institutions, includ-
23 ing all necessary expenses incident thereto, by contract or
24 force account, \$95,000,000, to remain available until ex-

1 pending: *Provided*, That labor of United States prisoners
2 may be used for work performed under this appropriation.

3 FEDERAL PRISON INDUSTRIES, INCORPORATED

4 The Federal Prison Industries, Incorporated, is here-
5 by authorized to make such expenditures within the limits
6 of funds and borrowing authority available, and in accord
7 with the law, and to make such contracts and commit-
8 ments without regard to fiscal year limitations as provided
9 by section 9104 of title 31, United States Code, as may
10 be necessary in carrying out the program set forth in the
11 budget for the current fiscal year for such corporation.

12 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
13 PRISON INDUSTRIES, INCORPORATED

14 Not to exceed \$2,700,000 of the funds of the Federal
15 Prison Industries, Incorporated, shall be available for its
16 administrative expenses, and for services as authorized by
17 section 3109 of title 5, United States Code, to be com-
18 puted on an accrual basis to be determined in accordance
19 with the corporation's current prescribed accounting sys-
20 tem, and such amounts shall be exclusive of depreciation,
21 payment of claims, and expenditures which such account-
22 ing system requires to be capitalized or charged to cost
23 of commodities acquired or produced, including selling and
24 shipping expenses, and expenses in connection with acqui-
25 sition, construction, operation, maintenance, improvement,

1 protection, or disposition of facilities and other property
2 belonging to the corporation or in which it has an interest.

3 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

4 OFFICE ON VIOLENCE AGAINST WOMEN

5 VIOLENCE AGAINST WOMEN PREVENTION AND

6 PROSECUTION PROGRAMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For grants, contracts, cooperative agreements, and
9 other assistance for the prevention and prosecution of vio-
10 lence against women, as authorized by the Omnibus Crime
11 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
12 et seq.) (“the 1968 Act”); the Violent Crime Control and
13 Law Enforcement Act of 1994 (Public Law 103–322)
14 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
15 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
16 torial Remedies and Other Tools to end the Exploitation
17 of Children Today Act of 2003 (Public Law 108–21); the
18 Juvenile Justice and Delinquency Prevention Act of 1974
19 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims
20 of Trafficking and Violence Protection Act of 2000 (Public
21 Law 106–386) (“the 2000 Act”); the Violence Against
22 Women and Department of Justice Reauthorization Act
23 of 2005 (Public Law 109–162) (“the 2005 Act”); the Vio-
24 lence Against Women Reauthorization Act of 2013 (Public
25 Law 113–4) (“the 2013 Act”); and the Rape Survivor

1 Child Custody Act of 2015 (Public Law 114–22) (“the
2 2015 Act”); and for related victims services,
3 \$527,000,000, to remain available until expended: *Pro-*
4 *vided*, That except as otherwise provided by law, not to
5 exceed 5 percent of funds made available under this head-
6 ing may be used for expenses related to evaluation, train-
7 ing, and technical assistance: *Provided further*, That of the
8 amount provided—

9 (1) \$215,000,000 is for grants to combat vio-
10 lence against women, as authorized by part T of the
11 1968 Act;

12 (2) \$30,000,000 is for transitional housing as-
13 sistance grants for victims of domestic violence, dat-
14 ing violence, stalking, or sexual assault as authorized
15 by section 40299 of the 1994 Act;

16 (3) \$3,500,000 is for the National Institute of
17 Justice for research and evaluation of violence
18 against women and related issues addressed by
19 grant programs of the Office on Violence Against
20 Women, which shall be transferred to “Research,
21 Evaluation and Statistics” for administration by the
22 Office of Justice Programs;

23 (4) \$11,000,000 is for a grant program to pro-
24 vide services to advocate for and respond to youth
25 victims of domestic violence, dating violence, sexual

1 assault, and stalking; assistance to children and
2 youth exposed to such violence; programs to engage
3 men and youth in preventing such violence; and as-
4 sistance to middle and high school students through
5 education and other services related to such violence:
6 *Provided*, That unobligated balances available for
7 the programs authorized by sections 41201, 41204,
8 41303, and 41305 of the 1994 Act, prior to its
9 amendment by the 2013 Act, shall be available for
10 this program: *Provided further*, That 10 percent of
11 the total amount available for this grant program
12 shall be available for grants under the program au-
13 thorized by section 2015 of the 1968 Act: *Provided*
14 *further*, That the definitions and grant conditions in
15 section 40002 of the 1994 Act shall apply to this
16 program;

17 (5) \$53,000,000 is for grants to encourage ar-
18 rest policies as authorized by part U of the 1968
19 Act, of which \$4,000,000 is for a homicide reduction
20 initiative;

21 (6) \$35,000,000 is for sexual assault victims
22 assistance, as authorized by section 41601 of the
23 1994 Act;

1 (7) \$35,000,000 is for rural domestic violence
2 and child abuse enforcement assistance grants, as
3 authorized by section 40295 of the 1994 Act;

4 (8) \$20,000,000 is for grants to reduce violent
5 crimes against women on campus, as authorized by
6 section 304 of the 2005 Act;

7 (9) \$45,000,000 is for legal assistance for vic-
8 tims, as authorized by section 1201 of the 2000 Act;

9 (10) \$5,000,000 is for enhanced training and
10 services to end violence against and abuse of women
11 in later life, as authorized by section 40802 of the
12 1994 Act;

13 (11) \$16,000,000 is for grants to support fami-
14 lies in the justice system, as authorized by section
15 1301 of the 2000 Act: *Provided*, That unobligated
16 balances available for the programs authorized by
17 section 1301 of the 2000 Act and section 41002 of
18 the 1994 Act, prior to their amendment by the 2013
19 Act, shall be available for this program;

20 (12) \$6,000,000 is for education and training
21 to end violence against and abuse of women with
22 disabilities, as authorized by section 1402 of the
23 2000 Act;

24 (13) \$500,000 is for the National Resource
25 Center on Workplace Responses to assist victims of

1 domestic violence, as authorized by section 41501 of
2 the 1994 Act;

3 (14) \$1,000,000 is for analysis and research on
4 violence against Indian women, including as author-
5 ized by section 904 of the 2005 Act: *Provided*, That
6 such funds may be transferred to “Research, Eval-
7 uation and Statistics” for administration by the Of-
8 fice of Justice Programs;

9 (15) \$500,000 is for a national clearinghouse
10 that provides training and technical assistance on
11 issues relating to sexual assault of American Indian
12 and Alaska Native women;

13 (16) \$4,000,000 is for grants to assist tribal
14 governments;

15 (17) \$45,000,000 for victim services programs
16 for victims of trafficking, as authorized by section
17 107(b)(2) of Public Law 106–386, for programs au-
18 thorized under Public Law 109–164, or programs
19 authorized under Public Law 113–4; and

20 (18) \$1,500,000 for the purposes authorized
21 under the 2015 Act.

22 OFFICE OF JUSTICE PROGRAMS

23 RESEARCH, EVALUATION AND STATISTICS

24 For grants, contracts, cooperative agreements, and
25 other assistance authorized by title I of the Omnibus

1 Crime Control and Safe Streets Act of 1968 (“the 1968
2 Act”); subtitle D of title II of the Homeland Security Act
3 of 2002 (Public Law 107–296) (“the 2002 Act”); and
4 other programs, \$83,000,000, to remain available until ex-
5 pended, of which—

6 (1) \$44,500,000 is for criminal justice statistics
7 programs, and other activities, as authorized by part
8 C of title I of the 1968 Act; and

9 (2) \$38,500,000 is for research, development,
10 and evaluation programs, and other activities as au-
11 thorized by part B of title I of the 1968 Act and
12 subtitle D of title II of the 2002 Act.

13 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

14 For grants, contracts, cooperative agreements, and
15 other assistance authorized by the Violent Crime Control
16 and Law Enforcement Act of 1994 (Public Law 103–322)
17 (“the 1994 Act”); the Omnibus Crime Control and Safe
18 Streets Act of 1968 (“the 1968 Act”); the Justice for All
19 Act of 2004 (Public Law 108–405); the Victims of Child
20 Abuse Act of 1990 (Public Law 101–647) (“the 1990
21 Act”); the Trafficking Victims Protection Reauthorization
22 Act of 2005 (Public Law 109–164); the Violence Against
23 Women and Department of Justice Reauthorization Act
24 of 2005 (Public Law 109–162) (“the 2005 Act”); the
25 Adam Walsh Child Protection and Safety Act of 2006

1 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-
2 tims of Trafficking and Violence Protection Act of 2000
3 (Public Law 106–386); the NICS Improvement Amend-
4 ments Act of 2007 (Public Law 110–180); subtitle D of
5 title II of the Homeland Security Act of 2002 (Public Law
6 107–296) (“the 2002 Act”); the Public Safety Officer
7 Medal of Valor Act of 2001 (Public Law 107–12); the Sec-
8 ond Chance Act of 2007 (Public Law 110–199); the
9 Prioritizing Resources and Organization for Intellectual
10 Property Act of 2008 (Public Law 110–403); the Victims
11 of Crime Act of 1984 (Public Law 98–473); the Violence
12 Against Women Reauthorization Act of 2013 (Public Law
13 113–4) (“the 2013 Act”); the Comprehensive Addiction
14 and Recovery Act of 2016 (Public Law 114–198)
15 (“CARA”); and other programs, \$1,143,500,000, to re-
16 main available until expended as follows—

17 (1) \$500,000,000 for the Edward Byrne Memo-
18 rial Justice Assistance Grant program as authorized
19 by subpart 1 of part E of title I of the 1968 Act
20 (except that section 1001(c), and the special rules
21 for Puerto Rico under section 505(g) of title I of the
22 1968 Act shall not apply for purposes of this Act),
23 of which, notwithstanding such subpart 1,
24 \$10,000,000 is for the Officer Robert Wilson III
25 Memorial Initiative on Preventing Violence Against

1 Law Enforcement Officer Resilience and Surviv-
2 ability (VALOR), \$4,000,000 is for use by the Na-
3 tional Institute of Justice for research targeted to-
4 ward developing a better understanding of the do-
5 mestic radicalization phenomenon, and advancing
6 evidence-based strategies for effective intervention
7 and prevention, \$2,000,000 is for a program to im-
8 prove juvenile indigent defense, \$2,400,000 is for
9 the operationalization, maintenance and expansion of
10 the National Missing and Unidentified Persons Sys-
11 tem, \$10,000,000 is for competitive and evidence-
12 based programs to reduce gun crime and gang vio-
13 lence, \$2,500,000 is for the Capital Litigation Im-
14 provement Grant Program, as authorized by section
15 426 of Public Law 108–405 and for grants for
16 wrongful conviction review, \$15,500,000 is for pris-
17 on rape prevention and prosecution grants to States
18 and units of local government, and other programs,
19 as authorized by the Prison Rape Elimination Act of
20 2003 (Public Law 108–79), and \$10,000,000 is for
21 white collar crime prevention grants, including as
22 authorized by section 401 of Public Law 110–403;

23 (2) \$220,000,000 for the State Criminal Alien
24 Assistance Program, as authorized by section
25 241(i)(5) of the Immigration and Nationality Act (8

1 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction
2 shall request compensation for any cost greater than
3 the actual cost for Federal immigration and other
4 detainees housed in State and local detention facilities;
5

6 (3) \$20,000,000 for sex offender management
7 assistance, as authorized by the Adam Walsh Act,
8 and related activities;

9 (4) \$22,500,000 for the matching grant pro-
10 gram for law enforcement armor vests, as authorized
11 by section 2501 of title I of the 1968 Act;

12 (5) \$1,000,000 for the National Sex Offender
13 Public Website;

14 (6) \$73,000,000 for grants to States to up-
15 grade criminal and mental health records for the
16 National Instant Criminal Background Check Sys-
17 tem;

18 (7) \$125,000,000 for DNA-related and forensic
19 programs and activities, of which—

20 (A) \$117,000,000 is for a DNA analysis
21 and capacity enhancement program and for
22 other local, State, and Federal forensic activi-
23 ties, including the purposes authorized under
24 section 2 of the DNA Analysis Backlog Elimini-
25 nation Act of 2000 (Public Law 106–546) (the

1 Debbie Smith DNA Backlog Grant Program):
2 *Provided*, That up to 4 percent of funds made
3 available under this paragraph may be used for
4 the purposes described in the DNA Training
5 and Education for Law Enforcement, Correc-
6 tional Personnel, and Court Officers program
7 (Public Law 108–405, section 303);

8 (B) \$4,000,000 is for the purposes de-
9 scribed in the Kirk Bloodsworth Post-Convic-
10 tion DNA Testing Grant Program (Public Law
11 108–405, section 412); and

12 (C) \$4,000,000 is for Sexual Assault Fo-
13 rensic Exam Program grants, including as au-
14 thorized by section 304 of Public Law 108–405;

15 (8) \$9,000,000 for the court-appointed special
16 advocate program, as authorized by section 217 of
17 the 1990 Act;

18 (9) \$118,000,000 for comprehensive opioid
19 abuse reduction activities, including as authorized by
20 CARA, and for the following programs, which shall
21 address opioid abuse reduction consistent with un-
22 derlying program authorities—

23 (A) \$43,000,000 for Drug Courts, as au-
24 thorized by section 1001(a)(25)(A) of title I of
25 the 1968 Act;

1 (B) \$12,000,000 for mental health courts
2 and adult and juvenile collaboration program
3 grants, as authorized by parts V and HH of
4 title I of the 1968 Act;

5 (C) \$12,000,000 for grants for Residential
6 Substance Abuse Treatment for State Pris-
7 oners, as authorized by part S of title I of the
8 1968 Act;

9 (D) \$7,000,000 for a veterans treatment
10 courts program; and

11 (E) \$14,000,000 for a program to monitor
12 prescription drugs and scheduled listed chemical
13 products;

14 (10) \$10,000,000 for emergency law enforce-
15 ment assistance for events occurring during or after
16 fiscal year 2018, as authorized by section 609M of
17 the Justice Assistance Act of 1984 (42 U.S.C.
18 10501; Public Law 98–473); and

19 (11) \$45,000,000 for the Comprehensive School
20 Safety Initiative:

21 *Provided*, That, if a unit of local government uses any of
22 the funds made available under this heading to increase
23 the number of law enforcement officers, the unit of local
24 government will achieve a net gain in the number of law

1 enforcement officers who perform non-administrative pub-
2 lic sector safety service.

3 JUVENILE JUSTICE PROGRAMS

4 For grants, contracts, cooperative agreements, and
5 other assistance, the following amounts are made available
6 until expended—

7 (1) \$75,000,000 for youth mentoring grants;

8 (2) \$21,000,000 for programs authorized by
9 the Victims of Child Abuse Act of 1990;

10 (3) \$72,500,000 for missing and exploited chil-
11 dren programs, including as authorized by sections
12 404(b) and 405(a) of the Juvenile Justice and De-
13 linquency Prevention Act of 1974 (except that sec-
14 tion 102(b)(4)(B) of the PROTECT Our Children
15 Act of 2008 (Public Law 110–401) shall not apply
16 for purposes of this Act); and

17 (4) \$2,000,000 for child abuse training pro-
18 grams for judicial personnel and practitioners, as
19 authorized by section 222 of the Victims of Child
20 Abuse Act of 1990.

21 PUBLIC SAFETY OFFICER BENEFITS

22 (INCLUDING TRANSFER OF FUNDS)

23 For payments and expenses authorized under section
24 1001(a)(4) of title I of the Omnibus Crime Control and
25 Safe Streets Act of 1968, such sums as are necessary (in-

1 cluding amounts for administrative costs), to remain avail-
2 able until expended; and \$16,300,000 for payments au-
3 thorized by section 1201(b) of such Act and for edu-
4 cational assistance authorized by section 1218 of such Act,
5 to remain available until expended: *Provided*, That not-
6 withstanding section 205 of this Act, upon a determina-
7 tion by the Attorney General that emergent circumstances
8 require additional funding for such disability and edu-
9 cation payments, the Attorney General may transfer such
10 amounts to “Public Safety Officer Benefits” from avail-
11 able appropriations for the Department of Justice as may
12 be necessary to respond to such circumstances: *Provided*
13 *further*, That any transfer pursuant to the preceding pro-
14 viso shall be treated as a reprogramming under section
15 505 of this Act and shall not be available for obligation
16 or expenditure except in compliance with the procedures
17 set forth in that section.

18 COMMUNITY ORIENTED POLICING SERVICES

19 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

20 (INCLUDING TRANSFER OF FUNDS)

21 For grants, contracts, cooperative agreements, and
22 other assistance, the following amounts are made available
23 until expended: *Provided*, That any balances made avail-
24 able through prior year deobligations shall only be avail-
25 able in accordance with section 505 of this Act—

1 (1) \$11,000,000 for anti-methamphetamine-re-
2 lated activities, which shall be transferred to the
3 Drug Enforcement Administration upon enactment
4 of this Act;

5 (2) \$10,000,000 is for activities authorized by
6 the POLICE Act of 2016 (Public Law 114–199);

7 (3) \$65,000,000 for initiatives to improve po-
8 lice-community relations, as described in the report
9 accompanying this Act;

10 (4) \$68,000,000 for offender reentry programs
11 and research, as authorized by the Second Chance
12 Act of 2007 (Public Law 110–199), without regard
13 to the time limitations specified at section 6(1) of
14 such Act, of which not to exceed \$5,000,000 is for
15 Children of Incarcerated Parents Demonstrations to
16 enhance and maintain parental and family relation-
17 ships for incarcerated parents as a reentry or recidi-
18 vism reduction strategy, and \$2,000,000 shall be for
19 competitive grants focusing on girls in the juvenile
20 justice system;

21 (5) \$45,000,000 for a grant program for com-
22 munity-based sexual assault response reform; and

23 (6) \$35,000,000 is for regional information
24 sharing activities, as authorized by part M of title I

1 of the Omnibus Crime Control and Safe Streets Act
2 of 1968.

3 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. In addition to amounts otherwise made
6 available in this title for official reception and representa-
7 tion expenses, a total of not to exceed \$50,000 from funds
8 appropriated to the Department of Justice in this title
9 shall be available to the Attorney General for official re-
10 ception and representation expenses.

11 SEC. 202. None of the funds appropriated by this
12 title shall be available to pay for an abortion, except where
13 the life of the mother would be endangered if the fetus
14 were carried to term, or in the case of rape or incest: *Pro-*
15 *vided*, That should this prohibition be declared unconstitu-
16 tional by a court of competent jurisdiction, this section
17 shall be null and void.

18 SEC. 203. None of the funds appropriated under this
19 title shall be used to require any person to perform, or
20 facilitate in any way the performance of, any abortion.

21 SEC. 204. Nothing in the preceding section shall re-
22 move the obligation of the Director of the Bureau of Pris-
23 ons to provide escort services necessary for a female in-
24 mate to receive such service outside the Federal facility:
25 *Provided*, That nothing in this section in any way dimin-

1 ishes the effect of section 203 intended to address the phil-
2 osophical beliefs of individual employees of the Bureau of
3 Prisons.

4 SEC. 205. Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for the De-
6 partment of Justice in this Act may be transferred be-
7 tween such appropriations, but no such appropriation, ex-
8 cept as otherwise specifically provided, shall be increased
9 by more than 10 percent by any such transfers: *Provided*,
10 That any transfer pursuant to this section shall be treated
11 as a reprogramming of funds under section 505 of this
12 Act and shall not be available for obligation except in com-
13 pliance with the procedures set forth in that section.

14 SEC. 206. None of the funds made available under
15 this title may be used by the Federal Bureau of Prisons
16 or the United States Marshals Service for the purpose of
17 transporting an individual who is a prisoner pursuant to
18 conviction for crime under State or Federal law and is
19 classified as a maximum or high security prisoner, other
20 than to a prison or other facility certified by the Federal
21 Bureau of Prisons as appropriately secure for housing
22 such a prisoner.

23 SEC. 207. (a) None of the funds appropriated by this
24 Act may be used by Federal prisons to purchase cable tele-
25 vision services, or to rent or purchase audiovisual or elec-

1 tronic media or equipment used primarily for recreational
2 purposes.

3 (b) Subsection (a) does not preclude the rental, main-
4 tenance, or purchase of audiovisual or electronic media or
5 equipment for inmate training, religious, or educational
6 programs.

7 SEC. 208. None of the funds made available under
8 this title shall be obligated or expended for any new or
9 enhanced information technology program having total es-
10 timated development costs in excess of \$100,000,000, un-
11 less the Deputy Attorney General and the investment re-
12 view board certify to the Committees on Appropriations
13 of the House of Representatives and the Senate that the
14 information technology program has appropriate program
15 management controls and contractor oversight mecha-
16 nisms in place, and that the program is compatible with
17 the enterprise architecture of the Department of Justice.

18 SEC. 209. The notification thresholds and procedures
19 set forth in section 505 of this Act shall apply to devi-
20 ations from the amounts designated for specific activities
21 in this Act and in the report accompanying this Act, and
22 to any use of deobligated balances of funds provided under
23 this title in previous years.

24 SEC. 210. None of the funds appropriated by this Act
25 may be used to plan for, begin, continue, finish, process,

1 or approve a public-private competition under the Office
2 of Management and Budget Circular A-76 or any suc-
3 cessor administrative regulation, directive, or policy for
4 work performed by employees of Federal Prison Indus-
5 tries, Incorporated.

6 SEC. 211. Notwithstanding any other provision of
7 law, no funds shall be available for the salary, benefits,
8 or expenses of any United States Attorney assigned dual
9 or additional responsibilities by the Attorney General or
10 his designee that exempt that United States Attorney
11 from the residency requirements of section 545 of title 28,
12 United States Code.

13 SEC. 212. At the discretion of the Attorney General,
14 and in addition to any amounts that otherwise may be
15 available (or authorized to be made available) by law, with
16 respect to funds appropriated by this title under the head-
17 ings “Research, Evaluation and Statistics”, “State and
18 Local Law Enforcement Assistance”, and “Juvenile Jus-
19 tice Programs”—

20 (1) up to 3 percent of funds made available to
21 the Office of Justice Programs for grant or reim-
22 bursement programs may be used by such Office to
23 provide training and technical assistance; and

24 (2) up to 3 percent of funds made available for
25 grant or reimbursement programs under such head-

1 ings, except for amounts appropriated specifically for
2 research, evaluation, or statistical programs adminis-
3 tered by the National Institute of Justice and the
4 Bureau of Justice Statistics, shall be transferred to
5 and merged with funds provided to the National In-
6 stitute of Justice and the Bureau of Justice Statis-
7 tics, to be used by them for research, evaluation, or
8 statistical purposes, without regard to the authoriza-
9 tions for such grant or reimbursement programs.

10 SEC. 213. In addition to any amounts that otherwise
11 may be available (or authorized to be made available) by
12 law, 7 percent of funds made available for grant or reim-
13 bursement programs—

14 (1) under the heading “State and Local Law
15 Enforcement Assistance” (except for funds made
16 available under paragraph (2) under such heading);
17 and

18 (2) under the headings “Juvenile Justice Pro-
19 grams” (except for funds made available under para-
20 graph (3) under such heading) and “Community
21 Oriented Policing Services Programs”, to be trans-
22 ferred to and merged with funds made available
23 under the heading “State and Local Law Enforce-
24 ment Assistance”,

1 shall be available for assistance to Indian tribes without
2 regard to the authorizations for such grant or reimburse-
3 ment programs.

4 SEC. 214. Notwithstanding any other provision of
5 law, section 20109(a) of subtitle A of title II of the Violent
6 Crime Control and Law Enforcement Act of 1994 (42
7 U.S.C. 13709(a)) shall not apply to amounts made avail-
8 able by this or any other Act.

9 SEC. 215. None of the funds made available under
10 this or any other Act, for fiscal year 2018 and each fiscal
11 year thereafter, other than for the national instant crimi-
12 nal background check system established under section
13 103 of the Brady Handgun Violence Prevention Act (18
14 U.S.C. 922 note), may be used by a Federal law enforce-
15 ment officer to facilitate the transfer of an operable fire-
16 arm to an individual if the Federal law enforcement officer
17 knows or suspects that the individual is an agent of a drug
18 cartel, unless law enforcement personnel of the United
19 States continuously monitor or control the firearm at all
20 times.

21 SEC. 216. (a) None of the income retained in the De-
22 partment of Justice Working Capital Fund pursuant to
23 title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.
24 527 note) shall be available for obligation during fiscal
25 year 2018, except up to \$40,000,000 may be obligated for

1 implementation of a unified Department of Justice finan-
2 cial management system.

3 (b) Not to exceed \$30,000,000 of the unobligated bal-
4 ances transferred to the capital account of the Department
5 of Justice Working Capital Fund pursuant to title I of
6 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)
7 shall be available for obligation in fiscal year 2018, and
8 any use, obligation, transfer or allocation of such funds
9 shall be treated as a reprogramming of funds under sec-
10 tion 505 of this Act.

11 (c) Not to exceed \$10,000,000 of the excess unobli-
12 gated balances available under section 524(c)(8)(E) of
13 title 28, United States Code, shall be available for obliga-
14 tion during fiscal year 2018, and any use, obligation,
15 transfer or allocation of such funds shall be treated as a
16 reprogramming of funds under section 505 of this Act.

17 This title may be cited as the “Department of Justice
18 Appropriations Act, 2018”.

19 TITLE III

20 SCIENCE

21 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

22 For necessary expenses of the Office of Science and
23 Technology Policy, in carrying out the purposes of the Na-
24 tional Science and Technology Policy, Organization, and
25 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of

1 passenger motor vehicles, and services as authorized by
2 section 3109 of title 5, United States Code, not to exceed
3 \$2,250 for official reception and representation expenses,
4 and rental of conference rooms in the District of Colum-
5 bia, \$5,544,000.

6 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
7 SCIENCE

8 For necessary expenses, not otherwise provided for,
9 in the conduct and support of science research and devel-
10 opment activities, including research, development, oper-
11 ations, support, and services; maintenance and repair, fa-
12 cility planning and design; space flight, spacecraft control,
13 and communications activities; program management; per-
14 sonnel and related costs, including uniforms or allowances
15 therefor, as authorized by sections 5901 and 5902 of title
16 5, United States Code; travel expenses; purchase and hire
17 of passenger motor vehicles; and purchase, lease, charter,
18 maintenance, and operation of mission and administrative
19 aircraft, \$5,858,500,000, to remain available until Sep-
20 tember 30, 2019: *Provided*, That the formulation and de-
21 velopment costs (with development cost as defined under
22 section 30104 of title 51, United States Code) for the
23 James Webb Space Telescope shall not exceed
24 \$8,000,000,000: *Provided further*, That should the indi-
25 vidual identified under subsection (c)(2)(E) of section

1 30104 of title 51, United States Code, as responsible for
2 the James Webb Space Telescope determine that the de-
3 velopment cost of the program is likely to exceed that limi-
4 tation, the individual shall immediately notify the Admin-
5 istrator and the increase shall be treated as if it meets
6 the 30 percent threshold described in subsection (f) of sec-
7 tion 30104: *Provided further*, That, of the amounts pro-
8 vided, \$495,000,000 is for an orbiter and a lander to meet
9 the science goals for the Jupiter Europa mission as out-
10 lined in the most recent planetary science decadal survey:
11 *Provided further*, That the National Aeronautics and
12 Space Administration shall use the Space Launch System
13 as the launch vehicles for the Jupiter Europa mission,
14 plan for an orbiter launch no later than 2022 and a lander
15 launch no later than 2024, and include in the fiscal year
16 2019 budget the 5-year funding profile necessary to
17 achieve these goals.

18 AERONAUTICS

19 For necessary expenses, not otherwise provided for,
20 in the conduct and support of aeronautics research and
21 development activities, including research, development,
22 operations, support, and services; maintenance and repair,
23 facility planning and design; space flight, spacecraft con-
24 trol, and communications activities; program manage-
25 ment; personnel and related costs, including uniforms or

1 allowances therefor, as authorized by sections 5901 and
2 5902 of title 5, United States Code; travel expenses; pur-
3 chase and hire of passenger motor vehicles; and purchase,
4 lease, charter, maintenance, and operation of mission and
5 administrative aircraft, \$660,000,000, to remain available
6 until September 30, 2019.

7 SPACE TECHNOLOGY

8 For necessary expenses, not otherwise provided for,
9 in the conduct and support of space technology research
10 and development activities, including research, develop-
11 ment, operations, support, and services; maintenance and
12 repair, facility planning and design; space flight, space-
13 craft control, and communications activities; program
14 management; personnel and related costs, including uni-
15 forms or allowances therefor, as authorized by sections
16 5901 and 5902 of title 5, United States Code; travel ex-
17 penses; purchase and hire of passenger motor vehicles; and
18 purchase, lease, charter, maintenance, and operation of
19 mission and administrative aircraft, \$686,500,000, to re-
20 main available until September 30, 2019.

21 EXPLORATION

22 For necessary expenses, not otherwise provided for,
23 in the conduct and support of exploration research and
24 development activities, including research, development,
25 operations, support, and services; maintenance and repair,

1 facility planning and design; space flight, spacecraft con-
2 trol, and communications activities; program manage-
3 ment; personnel and related costs, including uniforms or
4 allowances therefor, as authorized by sections 5901 and
5 5902 of title 5, United States Code; travel expenses; pur-
6 chase and hire of passenger motor vehicles; and purchase,
7 lease, charter, maintenance, and operation of mission and
8 administrative aircraft, \$4,550,000,000, to remain avail-
9 able until September 30, 2019: *Provided*, That not less
10 than \$1,350,000,000 shall be for the Orion Multi-Purpose
11 Crew Vehicle: *Provided further*, That not less than
12 \$2,150,000,000 shall be for the Space Launch System
13 (SLS) launch vehicle, which shall have a lift capability not
14 less than 130 metric tons and which shall have core ele-
15 ments and an Exploration Upper Stage developed simulta-
16 neously: *Provided further*, That of the amounts provided
17 for SLS, not less than \$300,000,000 shall be for Explo-
18 ration Upper Stage development: *Provided further*, That
19 \$600,000,000 shall be for exploration ground systems:
20 *Provided further*, That the National Aeronautics and
21 Space Administration (NASA) shall provide to the Com-
22 mittees on Appropriations of the House of Representatives
23 and the Senate, concurrent with the annual budget sub-
24 mission, a 5-year budget profile for an integrated budget
25 that includes the Space Launch System, the Orion Multi-

1 Purpose Crew Vehicle, and associated ground systems,
2 that will meet the Exploration Mission 2 (EM-2) manage-
3 ment agreement launch date of no later than 2021 at a
4 success level equal to the Agency Baseline Commitment
5 for EM-2 of the Orion Multi-Purpose Crew Vehicle: *Pro-*
6 *vided further*, That \$450,000,000 shall be for exploration
7 research and development.

8 SPACE OPERATIONS

9 For necessary expenses, not otherwise provided for,
10 in the conduct and support of space operations research
11 and development activities, including research, develop-
12 ment, operations, support and services; space flight, space-
13 craft control and communications activities, including op-
14 erations, production, and services; maintenance and re-
15 pair, facility planning and design; program management;
16 personnel and related costs, including uniforms or allow-
17 ances therefor, as authorized by sections 5901 and 5902
18 of title 5, United States Code; travel expenses; purchase
19 and hire of passenger motor vehicles; and purchase, lease,
20 charter, maintenance and operation of mission and admin-
21 istrative aircraft, \$4,676,634,000, to remain available
22 until September 30, 2019.

23 EDUCATION

24 For necessary expenses, not otherwise provided for,
25 in the conduct and support of aerospace and aeronautical

1 education research and development activities, including
2 research, development, operations, support, and services;
3 program management; personnel and related costs, includ-
4 ing uniforms or allowances therefor, as authorized by sec-
5 tions 5901 and 5902 of title 5, United States Code; travel
6 expenses; purchase and hire of passenger motor vehicles;
7 and purchase, lease, charter, maintenance, and operation
8 of mission and administrative aircraft, \$90,000,000, to re-
9 main available until September 30, 2019, of which
10 \$18,000,000 shall be for the Experimental Program to
11 Stimulate Competitive Research and \$40,000,000 shall be
12 for the National Space Grant College and Fellowship Pro-
13 gram.

14 SAFETY, SECURITY AND MISSION SERVICES

15 For necessary expenses, not otherwise provided for,
16 in the conduct and support of science, aeronautics, space
17 technology, exploration, space operations and education
18 research and development activities, including research,
19 development, operations, support, and services; mainte-
20 nance and repair, facility planning and design; space
21 flight, spacecraft control, and communications activities;
22 program management; personnel and related costs, includ-
23 ing uniforms or allowances therefor, as authorized by sec-
24 tions 5901 and 5902 of title 5, United States Code; travel
25 expenses; purchase and hire of passenger motor vehicles;

1 not to exceed \$63,000 for official reception and represen-
2 tation expenses; and purchase, lease, charter, mainte-
3 nance, and operation of mission and administrative air-
4 craft, \$2,826,200,000, to remain available until Sep-
5 tember 30, 2019.

6 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
7 RESTORATION

8 For necessary expenses for construction of facilities
9 including repair, rehabilitation, revitalization, and modi-
10 fication of facilities, construction of new facilities and ad-
11 ditions to existing facilities, facility planning and design,
12 and restoration, and acquisition or condemnation of real
13 property, as authorized by law, and environmental compli-
14 ance and restoration, \$486,100,000, to remain available
15 until September 30, 2023: *Provided*, That proceeds from
16 leases deposited into this account shall be available for a
17 period of 5 years to the extent and in amounts as provided
18 in annual appropriations Acts: *Provided further*, That such
19 proceeds referred to in the preceding proviso shall be avail-
20 able for obligation for fiscal year 2018 in an amount not
21 to exceed \$9,470,300: *Provided further*, That each annual
22 budget request shall include an annual estimate of gross
23 receipts and collections and proposed use of all funds col-
24 lected pursuant to section 20145 of title 51, United States
25 Code.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the Inspector General Act of 1978,
4 \$37,900,000, of which \$500,000 shall remain available
5 until September 30, 2019.

6 ADMINISTRATIVE PROVISIONS

7 (INCLUDING TRANSFERS OF FUNDS)

8 Funds for any announced prize otherwise authorized
9 shall remain available, without fiscal year limitation, until
10 a prize is claimed or the offer is withdrawn.

11 Not to exceed 5 percent of any appropriation made
12 available for the current fiscal year for the National Aero-
13 nautics and Space Administration in this Act may be
14 transferred between such appropriations, but no such ap-
15 propriation, except as otherwise specifically provided, shall
16 be increased by more than 10 percent by any such trans-
17 fers, except that “Construction and Environmental Com-
18 pliance and Restoration” may be increased up to 20 per-
19 cent by such transfers. Balances so transferred shall be
20 merged with and available for the same purposes and the
21 same time period as the appropriations to which trans-
22 ferred. Any transfer pursuant to this provision shall be
23 treated as a reprogramming of funds under section 505
24 of this Act and shall not be available for obligation except
25 in compliance with the procedures set forth in that section.

1 The spending plan required by this Act shall be pro-
2 vided by NASA at the theme, program, project and activ-
3 ity level. The spending plan, as well as any subsequent
4 change of an amount established in that spending plan
5 that meets the notification requirements of section 505 of
6 this Act, shall be treated as a reprogramming under sec-
7 tion 505 of this Act and shall not be available for obliga-
8 tion or expenditure except in compliance with the proce-
9 dures set forth in that section.

10 NATIONAL SCIENCE FOUNDATION

11 RESEARCH AND RELATED ACTIVITIES

12 For necessary expenses in carrying out the National
13 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),
14 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services
15 as authorized by section 3109 of title 5, United States
16 Code; maintenance and operation of aircraft and purchase
17 of flight services for research support; acquisition of air-
18 craft; and authorized travel; \$6,033,645,000, to remain
19 available until September 30, 2019, of which not to exceed
20 \$544,000,000 shall remain available until expended for
21 polar research and operations support, and for reimburse-
22 ment to other Federal agencies for operational and science
23 support and logistical and other related activities for the
24 United States Antarctic program: *Provided*, That receipts
25 for scientific support services and materials furnished by

1 the National Research Centers and other National Science
2 Foundation supported research facilities may be credited
3 to this appropriation.

4 MAJOR RESEARCH EQUIPMENT AND FACILITIES
5 CONSTRUCTION

6 For necessary expenses for the acquisition, construc-
7 tion, commissioning, and upgrading of major research
8 equipment, facilities, and other such capital assets pursu-
9 ant to the National Science Foundation Act of 1950 (42
10 U.S.C. 1861 et seq.), including authorized travel,
11 \$77,800,000, to remain available until expended.

12 EDUCATION AND HUMAN RESOURCES

13 For necessary expenses in carrying out science, math-
14 ematics and engineering education and human resources
15 programs and activities pursuant to the National Science
16 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-
17 ing services as authorized by section 3109 of title 5,
18 United States Code, authorized travel, and rental of con-
19 ference rooms in the District of Columbia, \$880,000,000,
20 to remain available until September 30, 2019.

21 AGENCY OPERATIONS AND AWARD MANAGEMENT

22 For agency operations and award management nec-
23 essary in carrying out the National Science Foundation
24 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized
25 by section 3109 of title 5, United States Code; hire of pas-

1 senger motor vehicles; uniforms or allowances therefor, as
2 authorized by sections 5901 and 5902 of title 5, United
3 States Code; rental of conference rooms in the District of
4 Columbia; and reimbursement of the Department of
5 Homeland Security for security guard services;
6 \$328,510,000: *Provided*, That not to exceed \$8,280 is for
7 official reception and representation expenses: *Provided*
8 *further*, That contracts may be entered into under this
9 heading in fiscal year 2018 for maintenance and operation
10 of facilities and for other services to be provided during
11 the next fiscal year.

12 OFFICE OF THE NATIONAL SCIENCE BOARD

13 For necessary expenses (including payment of sala-
14 ries, authorized travel, hire of passenger motor vehicles,
15 the rental of conference rooms in the District of Columbia,
16 and the employment of experts and consultants under sec-
17 tion 3109 of title 5, United States Code) involved in car-
18 rying out section 4 of the National Science Foundation
19 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
20 (42 U.S.C. 1880 et seq.), \$4,370,000: *Provided*, That not
21 to exceed \$2,500 shall be available for official reception
22 and representation expenses.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General as authorized by the Inspector General Act of

1 1978, \$15,200,000, of which \$400,000 shall remain avail-
2 able until September 30, 2019.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 Not to exceed 5 percent of any appropriation made
6 available for the current fiscal year for the National
7 Science Foundation in this Act may be transferred be-
8 tween such appropriations, but no such appropriation shall
9 be increased by more than 15 percent by any such trans-
10 fers. Any transfer pursuant to this paragraph shall be
11 treated as a reprogramming of funds under section 505
12 of this Act and shall not be available for obligation except
13 in compliance with the procedures set forth in that section.

14 The Director of the National Science Foundation
15 shall notify the Committees on Appropriations of the
16 House of Representatives and the Senate at least 30 days
17 in advance of the acquisition or disposal of any capital
18 asset (including land, structures, and equipment) not spe-
19 cifically provided for in this Act or any other law appro-
20 priating funds for the National Science Foundation.

21 This title may be cited as the “Science Appropria-
22 tions Act, 2018”.

1 TITLE IV
2 RELATED AGENCIES
3 COMMISSION ON CIVIL RIGHTS
4 SALARIES AND EXPENSES

5 For necessary expenses of the Commission on Civil
6 Rights, including hire of passenger motor vehicles,
7 \$9,183,000: *Provided*, That none of the funds appro-
8 priated in this paragraph may be used to employ any indi-
9 viduals under Schedule C of subpart C of part 213 of title
10 5 of the Code of Federal Regulations exclusive of one spe-
11 cial assistant for each Commissioner: *Provided further*,
12 That none of the funds appropriated in this paragraph
13 shall be used to reimburse Commissioners for more than
14 75 billable days, with the exception of the chairperson,
15 who is permitted 125 billable days: *Provided further*, That
16 none of the funds appropriated in this paragraph shall be
17 used for any activity or expense that is not explicitly au-
18 thorized by section 3 of the Civil Rights Commission Act
19 of 1983 (42 U.S.C. 1975a).

20 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
21 SALARIES AND EXPENSES

22 For necessary expenses of the Equal Employment
23 Opportunity Commission as authorized by title VII of the
24 Civil Rights Act of 1964, the Age Discrimination in Em-
25 ployment Act of 1967, the Equal Pay Act of 1963, the

1 Americans with Disabilities Act of 1990, section 501 of
2 the Rehabilitation Act of 1973, the Civil Rights Act of
3 1991, the Genetic Information Nondiscrimination Act
4 (GINA) of 2008 (Public Law 110–233), the ADA Amend-
5 ments Act of 2008 (Public Law 110–325), and the Lilly
6 Ledbetter Fair Pay Act of 2009 (Public Law 111–2), in-
7 cluding services as authorized by section 3109 of title 5,
8 United States Code; hire of passenger motor vehicles as
9 authorized by section 1343(b) of title 31, United States
10 Code; nonmonetary awards to private citizens; and up to
11 \$29,500,000 for payments to State and local enforcement
12 agencies for authorized services to the Commission,
13 \$363,807,000: *Provided*, That the Commission is author-
14 ized to make available for official reception and represen-
15 tation expenses not to exceed \$2,250 from available funds:
16 *Provided further*, That the Chair is authorized to accept
17 and use any gift or donation to carry out the work of the
18 Commission.

19 INTERNATIONAL TRADE COMMISSION

20 SALARIES AND EXPENSES

21 For necessary expenses of the International Trade
22 Commission, including hire of passenger motor vehicles
23 and services as authorized by section 3109 of title 5,
24 United States Code, and not to exceed \$2,250 for official

1 reception and representation expenses, \$92,500,000, to re-
2 main available until expended.

3 LEGAL SERVICES CORPORATION

4 PAYMENT TO THE LEGAL SERVICES CORPORATION

5 For payment to the Legal Services Corporation to
6 carry out the purposes of the Legal Services Corporation
7 Act of 1974, \$300,000,000, of which \$267,000,000 is for
8 basic field programs and required independent audits;
9 \$5,000,000 is for the Office of Inspector General, of which
10 such amounts as may be necessary may be used to conduct
11 additional audits of recipients; \$19,000,000 is for manage-
12 ment and grants oversight; \$4,000,000 is for client self-
13 help and information technology; \$4,000,000 is for a Pro
14 Bono Innovation Fund; and \$1,000,000 is for loan repay-
15 ment assistance: *Provided*, That the Legal Services Cor-
16 poration may continue to provide locality pay to officers
17 and employees at a rate no greater than that provided by
18 the Federal Government to Washington, DC-based em-
19 ployees as authorized by section 5304 of title 5, United
20 States Code, notwithstanding section 1005(d) of the Legal
21 Services Corporation Act (42 U.S.C. 2996(d)): *Provided*
22 *further*, That the authorities provided in section 205 of
23 this Act shall be applicable to the Legal Services Corpora-
24 tion: *Provided further*, That, for the purposes of section

1 505 of this Act, the Legal Services Corporation shall be
2 considered an agency of the United States Government.

3 ADMINISTRATIVE PROVISION—LEGAL SERVICES

4 CORPORATION

5 None of the funds appropriated in this Act to the
6 Legal Services Corporation shall be expended for any pur-
7 pose prohibited or limited by, or contrary to any of the
8 provisions of, sections 501, 502, 503, 504, 505, and 506
9 of Public Law 105–119, and all funds appropriated in this
10 Act to the Legal Services Corporation shall be subject to
11 the same terms and conditions set forth in such sections,
12 except that all references in sections 502 and 503 to 1997
13 and 1998 shall be deemed to refer instead to 2017 and
14 2018, respectively.

15 MARINE MAMMAL COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Marine Mammal Com-
18 mission as authorized by title II of the Marine Mammal
19 Protection Act of 1972 (16 U.S.C. 1361 et seq.),
20 \$3,431,000.

21 OFFICE OF THE UNITED STATES TRADE

22 REPRESENTATIVE

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of the United
25 States Trade Representative, including the hire of pas-

1 senger motor vehicles and the employment of experts and
2 consultants as authorized by section 3109 of title 5,
3 United States Code, \$53,000,000, of which \$1,000,000
4 shall remain available until expended: *Provided*, That of
5 the total amount made available under this heading, not
6 to exceed \$124,000 shall be available for official reception
7 and representation expenses.

8 TRADE ENFORCEMENT TRUST FUND
9 (INCLUDING TRANSFER OF FUNDS)

10 For activities of the United States Trade Representa-
11 tive authorized by section 611 of the Trade Facilitation
12 and Trade Enforcement Act of 2015 (19 U.S.C. 4405),
13 including transfers, \$15,000,000, to be derived from the
14 Trade Enforcement Trust Fund: *Provided*, That any
15 transfer pursuant to subsection (d)(1) of such section shall
16 be treated as a reprogramming under section 505 of this
17 Act.

18 STATE JUSTICE INSTITUTE
19 SALARIES AND EXPENSES

20 For necessary expenses of the State Justice Institute,
21 as authorized by the State Justice Institute Act of 1984
22 (42 U.S.C. 10701 et seq.) \$5,111,000, of which \$500,000
23 shall remain available until September 30, 2019: *Provided*,
24 That not to exceed \$2,250 shall be available for official
25 reception and representation expenses: *Provided further*,

1 That, for the purposes of section 505 of this Act, the State
2 Justice Institute shall be considered an agency of the
3 United States Government.

4 TITLE V

5 GENERAL PROVISIONS

6 (INCLUDING RESCISSIONS)

7 (INCLUDING TRANSFERS OF FUNDS)

8 SEC. 501. No part of any appropriation contained in
9 this Act shall be used for publicity or propaganda purposes
10 not authorized by the Congress.

11 SEC. 502. No part of any appropriation contained in
12 this Act shall remain available for obligation beyond the
13 current fiscal year unless expressly so provided herein.

14 SEC. 503. The expenditure of any appropriation
15 under this Act for any consulting service through procure-
16 ment contract, pursuant to section 3109 of title 5, United
17 States Code, shall be limited to those contracts where such
18 expenditures are a matter of public record and available
19 for public inspection, except where otherwise provided
20 under existing law, or under existing Executive order
21 issued pursuant to existing law.

22 SEC. 504. If any provision of this Act or the applica-
23 tion of such provision to any person or circumstances shall
24 be held invalid, the remainder of the Act and the applica-
25 tion of each provision to persons or circumstances other

1 than those as to which it is held invalid shall not be af-
2 fected thereby.

3 SEC. 505. None of the funds provided under this Act,
4 or provided under previous appropriations Acts to the
5 agencies funded by this Act that remain available for obli-
6 gation or expenditure in fiscal year 2018, or provided from
7 any accounts in the Treasury of the United States derived
8 by the collection of fees available to the agencies funded
9 by this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds that: (1) creates or ini-
11 tiates a new program, project or activity; (2) eliminates
12 a program, project or activity; (3) increases funds or per-
13 sonnel by any means for any project or activity for which
14 funds have been denied or restricted; (4) relocates an of-
15 fice or employees; (5) reorganizes or renames offices, pro-
16 grams or activities; (6) contracts out or privatizes any
17 functions or activities presently performed by Federal em-
18 ployees; (7) augments existing programs, projects or ac-
19 tivities in excess of \$500,000 or 10 percent, whichever is
20 less, or reduces by 10 percent funding for any program,
21 project or activity, or numbers of personnel by 10 percent;
22 or (8) results from any general savings, including savings
23 from a reduction in personnel, which would result in a
24 change in existing programs, projects or activities as ap-
25 proved by Congress; unless the House and Senate Com-

1 mittees on Appropriations are notified 15 days in advance
2 of such reprogramming of funds.

3 SEC. 506. (a) If it has been finally determined by
4 a court or Federal agency that any person intentionally
5 affixed a label bearing a “Made in America” inscription,
6 or any inscription with the same meaning, to any product
7 sold in or shipped to the United States that is not made
8 in the United States, the person shall be ineligible to re-
9 ceive any contract or subcontract made with funds made
10 available in this Act, pursuant to the debarment, suspen-
11 sion, and ineligibility procedures described in sections
12 9.400 through 9.409 of title 48, Code of Federal Regula-
13 tions.

14 (b)(1) To the extent practicable, with respect to au-
15 thorized purchases of promotional items, funds made
16 available by this Act shall be used to purchase items that
17 are manufactured, produced, or assembled in the United
18 States, its territories or possessions.

19 (2) The term “promotional items” has the meaning
20 given the term in OMB Circular A–87, Attachment B,
21 Item (1)(f)(3).

22 SEC. 507. (a) The Departments of Commerce and
23 Justice, the National Science Foundation, and the Na-
24 tional Aeronautics and Space Administration shall provide
25 to the Committees on Appropriations of the House of Rep-

1 representatives and the Senate a quarterly report on the sta-
2 tus of balances of appropriations at the account level. For
3 unobligated, uncommitted balances and unobligated, com-
4 mitted balances the quarterly reports shall separately
5 identify the amounts attributable to each source year of
6 appropriation from which the balances were derived. For
7 balances that are obligated, but unexpended, the quarterly
8 reports shall separately identify amounts by the year of
9 obligation.

10 (b) The report described in subsection (a) shall be
11 submitted within 30 days of the end of each quarter.

12 (c) If a department or agency is unable to fulfill any
13 aspect of a reporting requirement described in subsection
14 (a) due to a limitation of a current accounting system,
15 the department or agency shall fulfill such aspect to the
16 maximum extent practicable under such accounting sys-
17 tem and shall identify and describe in each quarterly re-
18 port the extent to which such aspect is not fulfilled.

19 SEC. 508. Any costs incurred by a department or
20 agency funded under this Act resulting from, or to pre-
21 vent, personnel actions taken in response to funding re-
22 ductions included in this Act shall be absorbed within the
23 total budgetary resources available to such department or
24 agency: *Provided*, That the authority to transfer funds be-
25 tween appropriations accounts as may be necessary to

1 carry out this section is provided in addition to authorities
2 included elsewhere in this Act: *Provided further*, That use
3 of funds to carry out this section shall be treated as a
4 reprogramming of funds under section 505 of this Act and
5 shall not be available for obligation or expenditure except
6 in compliance with the procedures set forth in that section:
7 *Provided further*, That for the Department of Commerce,
8 this section shall also apply to actions taken for the care
9 and protection of loan collateral or grant property.

10 SEC. 509. None of the funds provided by this Act
11 shall be available to promote the sale or export of tobacco
12 or tobacco products, or to seek the reduction or removal
13 by any foreign country of restrictions on the marketing
14 of tobacco or tobacco products, except for restrictions
15 which are not applied equally to all tobacco or tobacco
16 products of the same type.

17 SEC. 510. None of the funds made available in this
18 Act may be used to pay the salaries and expenses of per-
19 sonnel of the Department of Justice to obligate more than
20 \$4,632,000,000 during fiscal year 2018 from the fund es-
21 tablished by section 1402 of Public Law 98-473 (42
22 U.S.C. 10601): *Provided*, That notwithstanding such sec-
23 tion 1402(d), of the amounts available from the Fund for
24 obligation, 5 percent shall be available for grants to Indian

1 tribal governments to improve services and justice for vic-
2 tims of crime.

3 SEC. 511. None of the funds made available to the
4 Department of Justice in this Act may be used to discrimi-
5 nate against or denigrate the religious or moral beliefs of
6 students who participate in programs for which financial
7 assistance is provided from those funds, or of the parents
8 or legal guardians of such students.

9 SEC. 512. None of the funds made available in this
10 Act may be transferred to any department, agency, or in-
11 strumentality of the United States Government, except
12 pursuant to a transfer made by, or transfer authority pro-
13 vided in, this Act or any other appropriations Act.

14 SEC. 513. Any funds provided in this Act used to im-
15 plement E-Government Initiatives shall be subject to the
16 procedures set forth in section 505 of this Act.

17 SEC. 514. (a) None of the funds appropriated or oth-
18 erwise made available under this Act may be used by the
19 Departments of Commerce and Justice, the National Aer-
20 onautics and Space Administration, or the National
21 Science Foundation to acquire a high-impact or moderate-
22 impact information system, as defined for security cat-
23 egorization in the National Institute of Standards and
24 Technology's (NIST) Federal Information Processing
25 Standard Publication 199, "Standards for Security Cat-

1 egorization of Federal Information and Information Sys-
2 tems” unless the agency has—

3 (1) reviewed the supply chain risk for the infor-
4 mation systems against criteria developed by NIST
5 and the Federal Bureau of Investigation (FBI) to
6 inform acquisition decisions for high-impact and
7 moderate-impact information systems within the
8 Federal Government;

9 (2) reviewed the supply chain risk from the pre-
10 sumptive awardee against available and relevant
11 threat information provided by the FBI and other
12 appropriate agencies; and

13 (3) in consultation with the FBI or other ap-
14 propriate Federal entity, conducted an assessment of
15 any risk of cyber-espionage or sabotage associated
16 with the acquisition of such system, including any
17 risk associated with such system being produced,
18 manufactured, or assembled by one or more entities
19 identified by the United States Government as pos-
20 ing a cyber threat, including but not limited to,
21 those that may be owned, directed, or subsidized by
22 the People’s Republic of China, the Islamic Republic
23 of Iran, the Democratic People’s Republic of Korea,
24 or the Russian Federation.

1 (b) None of the funds appropriated or otherwise
2 made available under this Act may be used to acquire a
3 high-impact or moderate-impact information system re-
4 viewed and assessed under subsection (a) unless the head
5 of the assessing entity described in subsection (a) has—

6 (1) developed, in consultation with NIST, the
7 FBI, and supply chain risk management experts, a
8 mitigation strategy for any identified risks;

9 (2) determined, in consultation with NIST and
10 the FBI, that the acquisition of such system is in
11 the national interest of the United States; and

12 (3) reported that determination to the Commit-
13 tees on Appropriations of the House of Representa-
14 tives and the Senate and the agency Inspector Gen-
15 eral.

16 SEC. 515. None of the funds made available in this
17 Act shall be used in any way whatsoever to support or
18 justify the use of torture by any official or contract em-
19 ployee of the United States Government.

20 SEC. 516. (a) Notwithstanding any other provision
21 of law or treaty, in fiscal year 2018 and each fiscal year
22 thereafter, none of the funds appropriated or otherwise
23 made available under this Act or any other Act may be
24 expended or obligated by a department, agency, or instru-
25 mentality of the United States to pay administrative ex-

1 penses or to compensate an officer or employee of the
2 United States in connection with requiring an export li-
3 cense for the export to Canada of components, parts, ac-
4 cessories or attachments for firearms listed in Category
5 I, section 121.1 of title 22, Code of Federal Regulations
6 (International Trafficking in Arms Regulations (ITAR),
7 part 121, as it existed on April 1, 2005) with a total value
8 not exceeding \$500 wholesale in any transaction, provided
9 that the conditions of subsection (b) of this section are
10 met by the exporting party for such articles.

11 (b) The foregoing exemption from obtaining an ex-
12 port license—

13 (1) does not exempt an exporter from filing any
14 Shipper's Export Declaration or notification letter
15 required by law, or from being otherwise eligible
16 under the laws of the United States to possess, ship,
17 transport, or export the articles enumerated in sub-
18 section (a); and

19 (2) does not permit the export without a license
20 of—

21 (A) fully automatic firearms and compo-
22 nents and parts for such firearms, other than
23 for end use by the Federal Government, or a
24 Provincial or Municipal Government of Canada;

1 (B) barrels, cylinders, receivers (frames) or
2 complete breech mechanisms for any firearm
3 listed in Category I, other than for end use by
4 the Federal Government, or a Provincial or Mu-
5 nicipal Government of Canada; or

6 (C) articles for export from Canada to an-
7 other foreign destination.

8 (c) In accordance with this section, the District Di-
9 rectors of Customs and postmasters shall permit the per-
10 manent or temporary export without a license of any un-
11 classified articles specified in subsection (a) to Canada for
12 end use in Canada or return to the United States, or tem-
13 porary import of Canadian-origin items from Canada for
14 end use in the United States or return to Canada for a
15 Canadian citizen.

16 (d) The President may require export licenses under
17 this section on a temporary basis if the President deter-
18 mines, upon publication first in the Federal Register, that
19 the Government of Canada has implemented or main-
20 tained inadequate import controls for the articles specified
21 in subsection (a), such that a significant diversion of such
22 articles has and continues to take place for use in inter-
23 national terrorism or in the escalation of a conflict in an-
24 other nation. The President shall terminate the require-

1 ments of a license when reasons for the temporary require-
2 ments have ceased.

3 SEC. 517. Notwithstanding any other provision of
4 law, in fiscal year 2018 and each fiscal year thereafter,
5 no department, agency, or instrumentality of the United
6 States receiving appropriated funds under this Act or any
7 other Act shall obligate or expend in any way such funds
8 to pay administrative expenses or the compensation of any
9 officer or employee of the United States to deny any appli-
10 cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B)
11 and qualified pursuant to 27 CFR section 478.112 or
12 .113, for a permit to import United States origin “curios
13 or relics” firearms, parts, or ammunition.

14 SEC. 518. None of the funds made available in this
15 Act may be used to include in any new bilateral or multi-
16 lateral trade agreement the text of—

17 (1) paragraph 2 of article 16.7 of the United
18 States–Singapore Free Trade Agreement;

19 (2) paragraph 4 of article 17.9 of the United
20 States–Australia Free Trade Agreement; or

21 (3) paragraph 4 of article 15.9 of the United
22 States–Morocco Free Trade Agreement.

23 SEC. 519. None of the funds made available in this
24 Act may be used to authorize or issue a national security
25 letter in contravention of any of the following laws author-

1 izing the Federal Bureau of Investigation to issue national
2 security letters: The Right to Financial Privacy Act of
3 1978; The Electronic Communications Privacy Act of
4 1986; The Fair Credit Reporting Act; The National Security
5 Act of 1947; USA PATRIOT Act; USA FREEDOM
6 Act of 2015; and the laws amended by these Acts.

7 SEC. 520. If at any time during any quarter, the pro-
8 gram manager of a project within the jurisdiction of the
9 Departments of Commerce or Justice, the National Aero-
10 nautics and Space Administration, or the National Science
11 Foundation totaling more than \$75,000,000 has reason-
12 able cause to believe that the total program cost has in-
13 creased by 10 percent or more, the program manager shall
14 immediately inform the respective Secretary, Adminis-
15 trator, or Director. The Secretary, Administrator, or Di-
16 rector shall notify the House and Senate Committees on
17 Appropriations within 30 days in writing of such increase,
18 and shall include in such notice: the date on which such
19 determination was made; a statement of the reasons for
20 such increases; the action taken and proposed to be taken
21 to control future cost growth of the project; changes made
22 in the performance or schedule milestones and the degree
23 to which such changes have contributed to the increase
24 in total program costs or procurement costs; new esti-
25 mates of the total project or procurement costs; and a

1 statement validating that the project's management struc-
2 ture is adequate to control total project or procurement
3 costs.

4 SEC. 521. Funds appropriated by this Act, or made
5 available by the transfer of funds in this Act, for intel-
6 ligence or intelligence related activities are deemed to be
7 specifically authorized by the Congress for purposes of sec-
8 tion 504 of the National Security Act of 1947 (50 U.S.C.
9 3094) during fiscal year 2018 until the enactment of the
10 Intelligence Authorization Act for fiscal year 2018.

11 SEC. 522. None of the funds appropriated or other-
12 wise made available by this Act may be used to enter into
13 a contract in an amount greater than \$5,000,000 or to
14 award a grant in excess of such amount unless the pro-
15 spective contractor or grantee certifies in writing to the
16 agency awarding the contract or grant that, to the best
17 of its knowledge and belief, the contractor or grantee has
18 filed all Federal tax returns required during the three
19 years preceding the certification, has not been convicted
20 of a criminal offense under the Internal Revenue Code of
21 1986, and has not, more than 90 days prior to certifi-
22 cation, been notified of any unpaid Federal tax assessment
23 for which the liability remains unsatisfied, unless the as-
24 sessment is the subject of an installment agreement or
25 offer in compromise that has been approved by the Inter-

1 nal Revenue Service and is not in default, or the assess-
2 ment is the subject of a non-frivolous administrative or
3 judicial proceeding.

(RESCISSIONS)

5 SEC. 523. (a) Of the unobligated balances from prior
6 year appropriations available to the Department of Com-
7 merce, the following funds are hereby rescinded, not later
8 than September 30, 2018, from the following accounts in
9 the specified amounts—

(1) “Economic Development Administration,
Economic Development Assistance Programs”,
\$47,000,000; and

(2) “National Oceanic and Atmospheric Administration, Operations, Research, and Facilities”, \$20,000,000.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2018, from the following accounts in the specified amounts—

20 (1) “Working Capital Fund”, \$409,834,000;

(2) “Federal Bureau of Investigation, Salaries and Expenses”, \$195,000,000 from fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;

1 (3) “State and Local Law Enforcement Activi-
2 ties, Office on Violence Against Women, Violence
3 Against Women Prevention and Prosecution Pro-
4 grams”, \$17,500,000;

5 (4) “State and Local Law Enforcement Activi-
6 ties, Office of Justice Programs”, \$60,000,000;

7 (5) “State and Local Law Enforcement Activi-
8 ties, Community Oriented Policing Services”,
9 \$17,500,000;

10 (6) “Legal Activities, Assets Forfeiture Fund”,
11 \$304,000,000 is permanently rescinded; and

12 (7) “Federal Bureau of Investigation, Salaries
13 and Expenses”, \$53,365,000.

14 (c) The Departments of Commerce and Justice shall
15 submit to the Committees on Appropriations of the House
16 of Representatives and the Senate a report no later than
17 September 1, 2018, specifying the amount of each rescis-
18 sion made pursuant to subsections (a) and (b), and the
19 Department of Justice shall ensure that sufficient bal-
20 ances are available in the “Working Capital Fund” to re-
21 scind the amount specified in subsection (b) and shall
22 transfer unobligated balances from discretionary appro-
23 priations (except from “Federal Bureau of Investigation,
24 Salaries and Expenses”, “Fees and Expenses of Wit-
25 nesses”, “Public Safety Officer Benefits”, and amounts

1 that were designated by the Congress as an emergency or
2 disaster relief requirement pursuant to a concurrent reso-
3 lution on the budget or section 251(b)(2) of the Balanced
4 Budget and Emergency Deficit Control Act of 1985) made
5 available in this Act to the Department into the “Working
6 Capital Fund” if necessary to meet the amount specified
7 in subsection (b) and this transfer authority is in addition
8 to any other transfer authority contained in this Act.

9 SEC. 524. None of the funds made available in this
10 Act may be used to purchase first class or premium airline
11 travel in contravention of sections 301–10.122 through
12 301–10.124 of title 41 of the Code of Federal Regulations.

13 SEC. 525. None of the funds made available in this
14 Act may be used to send or otherwise pay for the attend-
15 ance of more than 50 employees from a Federal depart-
16 ment or agency, who are stationed in the United States,
17 at any single conference occurring outside the United
18 States unless such conference is a law enforcement train-
19 ing or operational conference for law enforcement per-
20 sonnel and the majority of Federal employees in attend-
21 ance are law enforcement personnel stationed outside the
22 United States.

23 SEC. 526. None of the funds appropriated or other-
24 wise made available in this or any other Act may be used
25 to transfer, release, or assist in the transfer or release to

1 or within the United States, its territories, or possessions
2 Khalid Sheikh Mohammed or any other detainee who—

3 (1) is not a United States citizen or a member
4 of the Armed Forces of the United States; and

5 (2) is or was held on or after June 24, 2009,
6 at the United States Naval Station, Guantanamo
7 Bay, Cuba, by the Department of Defense.

8 SEC. 527. (a) None of the funds appropriated or oth-
9 erwise made available in this or any other Act may be used
10 to construct, acquire, or modify any facility in the United
11 States, its territories, or possessions to house any indi-
12 vidual described in subsection (c) for the purposes of de-
13 tention or imprisonment in the custody or under the effec-
14 tive control of the Department of Defense.

15 (b) The prohibition in subsection (a) shall not apply
16 to any modification of facilities at United States Naval
17 Station, Guantanamo Bay, Cuba.

18 (c) An individual described in this subsection is any
19 individual who, as of June 24, 2009, is located at United
20 States Naval Station, Guantanamo Bay, Cuba, and who—

21 (1) is not a citizen of the United States or a
22 member of the Armed Forces of the United States;
23 and

24 (2) is—

1 (A) in the custody or under the effective
2 control of the Department of Defense; or

3 (B) otherwise under detention at United
4 States Naval Station, Guantanamo Bay, Cuba.

5 SEC. 528. The Director of the Office of Management
6 and Budget shall instruct any department, agency, or in-
7 strumentality of the United States receiving funds appro-
8 priated under this Act to track undisbursed balances in
9 expired grant accounts and include in its annual perform-
10 ance plan and performance and accountability reports the
11 following:

12 (1) Details on future action the department,
13 agency, or instrumentality will take to resolve
14 undisbursed balances in expired grant accounts.

15 (2) The method that the department, agency, or
16 instrumentality uses to track undisbursed balances
17 in expired grant accounts.

18 (3) Identification of undisbursed balances in ex-
19 pired grant accounts that may be returned to the
20 Treasury of the United States.

21 (4) In the preceding 3 fiscal years, details on
22 the total number of expired grant accounts with
23 undisbursed balances (on the first day of each fiscal
24 year) for the department, agency, or instrumentality

1 and the total finances that have not been obligated
2 to a specific project remaining in the accounts.

3 SEC. 529. (a) None of the funds made available by
4 this Act may be used for the National Aeronautics and
5 Space Administration (NASA) or the Office of Science
6 and Technology Policy (OSTP) to develop, design, plan,
7 promulgate, implement, or execute a bilateral policy, pro-
8 gram, order, or contract of any kind to participate, col-
9 laborate, or coordinate bilaterally in any way with China
10 or any Chinese-owned company unless such activities are
11 specifically authorized by a law enacted after the date of
12 enactment of this Act.

13 (b) None of the funds made available by this Act may
14 be used to effectuate the hosting of official Chinese visitors
15 at facilities belonging to or utilized by NASA.

16 (c) The limitations described in subsections (a) and
17 (b) shall not apply to activities which NASA or OSTP,
18 after consultation with the Federal Bureau of Investiga-
19 tion, have certified—

20 (1) pose no risk of resulting in the transfer of
21 technology, data, or other information with national
22 security or economic security implications to China
23 or a Chinese-owned company; and

24 (2) will not involve knowing interactions with
25 officials who have been determined by the United

1 States to have direct involvement with violations of
2 human rights.

3 (d) Any certification made under subsection (c) shall
4 be submitted to the Committees on Appropriations of the
5 House of Representatives and the Senate, and the Federal
6 Bureau of Investigation, no later than 30 days prior to
7 the activity in question and shall include a description of
8 the purpose of the activity, its agenda, its major partici-
9 pants, and its location and timing.

10 SEC. 530. None of the funds made available by this
11 or any other Act, for fiscal year 2018 and each fiscal year
12 thereafter, may be used to pay the salaries or expenses
13 of personnel to deny, or fail to act on, an application for
14 the importation of any model of shotgun if—

15 (1) all other requirements of law with respect to
16 the proposed importation are met; and

17 (2) no application for the importation of such
18 model of shotgun, in the same configuration, had
19 been denied by the Attorney General prior to Janu-
20 ary 1, 2011, on the basis that the shotgun was not
21 particularly suitable for or readily adaptable to
22 sporting purposes.

23 SEC. 531. (a) None of the funds made available in
24 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

3 (b) Nothing in subsection (a) shall limit the use of
4 funds necessary for any Federal, State, tribal, or local law
5 enforcement agency or any other entity carrying out crimi-
6 nal investigations, prosecution, adjudication, or other law
7 enforcement- or victim assistance-related activity.

8 SEC. 532. The Departments of Commerce and Jus-
9 tice, the National Aeronautics and Space Administration,
10 the National Science Foundation, the Commission on Civil
11 Rights, the Equal Employment Opportunity Commission,
12 the International Trade Commission, the Legal Services
13 Corporation, the Marine Mammal Commission, the Offices
14 of Science and Technology Policy and the United States
15 Trade Representative, and the State Justice Institute
16 shall submit spending plans, signed by the respective de-
17 partment or agency head, to the Committees on Appro-
18 priations of the House of Representatives and the Senate
19 within 45 days after the date of enactment of this Act.

20 SEC. 533. None of the funds made available by this
21 Act may be obligated or expended to implement the Arms
22 Trade Treaty until the Senate approves a resolution of
23 ratification for the Treaty.

24 SEC. 534. The Department of Commerce, the Na-
25 tional Aeronautics and Space Administration, and the Na-

1 tional Science Foundation shall provide a quarterly report
2 to the Committees on Appropriations of the House of Rep-
3 resentatives and the Senate on any official travel to China
4 by any employee of such Department or agency, including
5 the purpose of such travel.

6 SEC. 535. Of the amounts made available by this Act,
7 not less than 10 percent of each total amount provided,
8 respectively, for Public Works grants authorized by the
9 Public Works and Economic Development Act of 1965 and
10 grants authorized by section 27 of the Stevenson-Wydler
11 Technology Innovation Act of 1980 (15 U.S.C. 3722) shall
12 be allocated for assistance in persistent poverty counties:
13 *Provided*, That for purposes of this section, the term “per-
14 sistent poverty counties” means any county that has had
15 20 percent or more of its population living in poverty over
16 the past 30 years, as measured by the 1990 and 2000
17 decennial censuses and the most recent Small Area In-
18 come and Poverty Estimates.

19 SEC. 536. None of the funds made available by this
20 Act may be used to approve the registration or renewal
21 of, or maintain the registration of, a mark, trade name,
22 or commercial name, under the Act entitled “An Act to
23 provide for the registration and protection of trademarks
24 used in commerce, to carry out the provisions of certain
25 international conventions, and for other purposes”, ap-

1 proved July 6, 1946 (commonly referred to as the “Trade-
2 mark Act of 1946”; 15 U.S.C. 1051 et seq.), including
3 the receipt or acceptance of post-registration affidavits or
4 declarations, where such mark, trade name, or commercial
5 name is the same or substantially similar to a mark, trade
6 name, or commercial name that was used in connection
7 with a business or assets that were confiscated, as that
8 term is defined in section 4(4) of the Cuban Liberty and
9 Democratic Solidarity (LIBERTAD) Act of 1996 (22
10 U.S.C. 6023(4)), unless the original owner of the mark,
11 trade name, or commercial name, or the bona-fide suc-
12 cessor-in-interest has expressly consented.

13 SEC. 537. None of the funds made available by this
14 Act may be used to require a person licensed under section
15 923 of title 18, United States Code, to report information
16 to the Department of Justice regarding the sale of mul-
17 tiple rifles or shotguns to the same person.

18 SEC. 538. (a) A State may bring a civil action against
19 the United States in an appropriate United States district
20 court for such declaratory and injunctive relief (including
21 preliminary injunctive relief) as may be necessary to re-
22 store the sovereignty reserved to the States by the Con-
23 stitution. It shall be duty of the courts of the United
24 States to advance on the docket and to expedite to the
25 greatest possible extent the disposition of any such action.

1 (b) This section shall take effect on the date of enact-
2 ment of this Act and continue in effect through all fiscal
3 years thereafter.

4 SEC. 539. None of the funds made available by this
5 Act may be used to relocate the Bureau of Alcohol, To-
6 bacco, Firearms and Explosives (ATF) Canine Training
7 Center or the ATF National Canine Division.

8 SEC. 540. None of the funds made available by this
9 Act may be used to enter into a civil settlement agreement
10 on behalf of the United States that includes a term requir-
11 ing that any donation be made to any non-party by any
12 party-defendant to such agreement.

13 SEC. 541. None of the funds made available by this
14 Act may be used to implement or enforce the designation
15 of any area of the Chesapeake Bay watershed as critical
16 habitat for the Atlantic Sturgeon pursuant to the proposed
17 rule published June 3, 2016 (81 Fed. Reg. 35701).

18 SEC. 542. None of the funds made available by this
19 Act may be used by the Equal Employment Opportunity
20 Commission for the “collection of information”, as defined
21 in the Paperwork Reduction Act (44 U.S.C. §
22 3502(3)(A)), from employers relating to employees’ earn-
23 ings and hours worked, as set forth in and designated as
24 Component 2 by the notice published by the Commission
25 on July 14, 2016, in the Federal Register (81 Fed. Reg.

1 45479), or for any final “collection of information” related
2 to such earnings and hours worked and to such notice.

3 REFERENCES TO ACT

4 SEC. 543. Except as expressly provided otherwise,
5 any reference to “this Act” contained in this division shall
6 be treated as referring only to the provisions of this divi-
7 sion.

8 REFERENCE TO REPORT

9 SEC. 544. Any reference to a “report accompanying
10 this Act” contained in this division shall be treated as a
11 reference to House Report 115–231. The effect of such
12 Report shall be limited to this division and shall apply for
13 purposes of determining the allocation of funds provided
14 by, and the implementation of, this division.

15 SPENDING REDUCTION ACCOUNT

16 SEC. 545. \$0.

17 This division may be cited as the “Commerce, Jus-
18 tice, Science, and Related Agencies Appropriations Act,
19 2018”.

20 **DIVISION D—FINANCIAL SERVICES AND**
21 **GENERAL GOVERNMENT APPROPRIA-**
22 **TIONS ACT, 2018**

23 The following sums are appropriated, out of any
24 money in the Treasury not otherwise appropriated, for the

1 fiscal year ending September 30, 2018, and for other pur-
2 poses, namely:

3 TITLE I

4 DEPARTMENT OF THE TREASURY

5 DEPARTMENTAL OFFICES

6 SALARIES AND EXPENSES

7 For necessary expenses of the Departmental Offices
8 including operation and maintenance of the Treasury
9 Building and Freedman's Bank Building; hire of pas-
10 senger motor vehicles; maintenance, repairs, and improve-
11 ments of, and purchase of commercial insurance policies
12 for, real properties leased or owned overseas, when nec-
13 essary for the performance of official business; executive
14 direction program activities; international affairs and eco-
15 nomic policy activities; domestic finance and tax policy ac-
16 tivities, including technical assistance to Puerto Rico; and
17 Treasury-wide management policies and programs activi-
18 ties, \$201,751,000: *Provided*, That of the amount appro-
19 priated under this heading—

20 (1) not to exceed \$350,000 is for official recep-
21 tion and representation expenses;

22 (2) not to exceed \$258,000 is for unforeseen
23 emergencies of a confidential nature to be allocated
24 and expended under the direction of the Secretary of

1 the Treasury and to be accounted for solely on the
2 Secretary's certificate; and

3 (3) not to exceed \$24,000,000 shall remain
4 available until September 30, 2019, for—

5 (A) the Treasury-wide Financial Statement
6 Audit and Internal Control Program;

7 (B) information technology modernization
8 requirements;

9 (C) the audit, oversight, and administra-
10 tion of the Gulf Coast Restoration Trust Fund;

11 (D) the development and implementation
12 of programs within the Office of Critical Infra-
13 structure Protection and Compliance Policy, in-
14 cluding entering into cooperative agreements;

15 (E) operations and maintenance of facili-
16 ties; and

17 (F) international operations.

18 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

19 SALARIES AND EXPENSES

20 For the necessary expenses of the Office of Terrorism
21 and Financial Intelligence to safeguard the financial sys-
22 tem against illicit use and to combat rogue nations, ter-
23 rorist facilitators, weapons of mass destruction
24 proliferators, money launderers, drug kingpins, and other
25 national security threats, \$123,000,000: *Provided*, That of

1 the amount appropriated under this heading: (1) up to
2 \$28,000,000 may be transferred to the Departmental Of-
3 fices Salaries and Expenses appropriation and shall be
4 available for administrative support to the Office of Ter-
5 rorism and Financial Intelligence; and (2) up to
6 \$5,000,000 shall remain available until September 30,
7 2019.

8 CYBERSECURITY ENHANCEMENT ACCOUNT

9 For salaries and expenses for enhanced cybersecurity
10 for systems operated by the Department of the Treasury,
11 \$27,264,000, to remain available until September 30,
12 2020: *Provided*, That such funds shall supplement and not
13 supplant any other amounts made available to the Treas-
14 ury offices and bureaus for cybersecurity: *Provided fur-*
15 *ther*, That the Chief Information Officer of the individual
16 offices and bureaus shall submit a spend plan for each
17 investment to the Treasury Chief Information Officer for
18 approval: *Provided further*, That the submitted spend plan
19 shall be reviewed and approved by the Treasury Chief In-
20 formation Officer prior to the obligation of funds under
21 this heading: *Provided further*, That of the total amount
22 made available under this heading \$1,000,000 shall be
23 available for administrative expenses for the Treasury
24 Chief Information Officer to provide oversight of the in-
25 vestments made under this heading: *Provided further*,

1 That such funds shall supplement and not supplant any
2 other amounts made available to the Treasury Chief Infor-
3 mation Officer.

4 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
5 INVESTMENTS PROGRAMS
6 (INCLUDING TRANSFER OF FUNDS)

7 For development and acquisition of automatic data
8 processing equipment, software, and services and for re-
9 pairs and renovations to buildings owned by the Depart-
10 ment of the Treasury, \$3,077,000, to remain available
11 until September 30, 2020: *Provided*, That these funds
12 shall be transferred to accounts and in amounts as nec-
13 essary to satisfy the requirements of the Department's of-
14 fices, bureaus, and other organizations: *Provided further*,
15 That this transfer authority shall be in addition to any
16 other transfer authority provided in this Act: *Provided fur-*
17 *ther*, That none of the funds appropriated under this head-
18 ing shall be used to support or supplement "Internal Rev-
19 enue Service, Operations Support" or "Internal Revenue
20 Service, Business Systems Modernization".

21 OFFICE OF INSPECTOR GENERAL
22 SALARIES AND EXPENSES

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, \$34,112,000, including hire of pas-

1 senger motor vehicles; of which not to exceed \$100,000
2 shall be available for unforeseen emergencies of a con-
3 fidential nature, to be allocated and expended under the
4 direction of the Inspector General of the Treasury; of
5 which up to \$2,800,000 to remain available until Sep-
6 tember 30, 2019, shall be for audits and investigations
7 conducted pursuant to section 1608 of the Resources and
8 Ecosystems Sustainability, Tourist Opportunities, and Re-
9 vived Economies of the Gulf Coast States Act of 2012 (33
10 U.S.C. 1321 note); and of which not to exceed \$1,000
11 shall be available for official reception and representation
12 expenses.

13 TREASURY INSPECTOR GENERAL FOR TAX

14 ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Treasury Inspector
17 General for Tax Administration in carrying out the In-
18 spector General Act of 1978, as amended, including pur-
19 chase and hire of passenger motor vehicles (31 U.S.C.
20 1343(b)); and services authorized by 5 U.S.C. 3109, at
21 such rates as may be determined by the Inspector General
22 for Tax Administration; \$165,113,000, of which
23 \$5,000,000 shall remain available until September 30,
24 2019; of which not to exceed \$6,000,000 shall be available
25 for official travel expenses; of which not to exceed

1 \$500,000 shall be available for unforeseen emergencies of
2 a confidential nature, to be allocated and expended under
3 the direction of the Inspector General for Tax Administra-
4 tion; and of which not to exceed \$1,500 shall be available
5 for official reception and representation expenses.

6 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED
7 ASSET RELIEF PROGRAM
8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Special
10 Inspector General in carrying out the provisions of the
11 Emergency Economic Stabilization Act of 2008 (Public
12 Law 110–343), \$37,044,000.

13 FINANCIAL CRIMES ENFORCEMENT NETWORK
14 SALARIES AND EXPENSES

15 For necessary expenses of the Financial Crimes En-
16 forcement Network, including hire of passenger motor ve-
17 hicles; travel and training expenses of non-Federal and
18 foreign government personnel to attend meetings and
19 training concerned with domestic and foreign financial in-
20 telligence activities, law enforcement, and financial regula-
21 tion; services authorized by 5 U.S.C. 3109; not to exceed
22 \$10,000 for official reception and representation expenses;
23 and for assistance to Federal law enforcement agencies,
24 with or without reimbursement, \$115,003,000, of which

1 not to exceed \$34,335,000 shall remain available until
2 September 30, 2020.

3 TREASURY FORFEITURE FUND

4 (RESCISSION)

5 Of the unobligated balances available under this
6 heading, \$876,000,000 are hereby permanently rescinded
7 not later than September 30, 2018.

8 (INCLUDING RETURN OF FUNDS)

9 In addition, of amounts in the Treasury Forfeiture
10 Fund, \$38,800,000 from funds paid to the United States
11 Government by BNP Paribas S.A. as part of, or related
12 to, a plea agreement dated June 27, 2014, entered into
13 between the Department of Justice and BNP Paribas
14 S.A., and subject to a consent order entered by the United
15 States District Court for the Southern District of New
16 York on May 1, 2015, in United States v. BNPP, No.
17 14 Cr. 460 (S.D.N.Y.), are hereby returned to the general
18 fund of the Treasury.

19 BUREAU OF THE FISCAL SERVICE

20 SALARIES AND EXPENSES

21 For necessary expenses of operations of the Bureau
22 of the Fiscal Service, \$330,837,000; of which not to ex-
23 ceed \$4,210,000, to remain available until September 30,
24 2020, is for information systems modernization initiatives;

1 and of which \$5,000 shall be available for official reception
2 and representation expenses.

3 In addition, \$165,000, to be derived from the Oil
4 Spill Liability Trust Fund to reimburse administrative
5 and personnel expenses for financial management of the
6 Fund, as authorized by section 1012 of Public Law 101–
7 380.

8 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
9 SALARIES AND EXPENSES

10 For necessary expenses of carrying out section 1111
11 of the Homeland Security Act of 2002, including hire of
12 passenger motor vehicles, \$111,439,000; of which not to
13 exceed \$6,000 for official reception and representation ex-
14 penses; not to exceed \$50,000 for cooperative research and
15 development programs for laboratory services; and provi-
16 sion of laboratory assistance to State and local agencies
17 with or without reimbursement: *Provided*, That of the
18 amount appropriated under this heading, \$5,000,000 shall
19 be for the costs of accelerating the processing of formula
20 and label applications: *Provided further*, That of the
21 amount appropriated under this heading, \$5,000,000, to
22 remain available until September 30, 2019, shall be for
23 the costs associated with enforcement of the trade practice
24 provisions of the Federal Alcohol Administration Act (27
25 U.S.C. 201 et seq.).

1 UNITED STATES MINT

2 UNITED STATES MINT PUBLIC ENTERPRISE FUND

3 Pursuant to section 5136 of title 31, United States
4 Code, the United States Mint is provided funding through
5 the United States Mint Public Enterprise Fund for costs
6 associated with the production of circulating coins, numis-
7 matic coins, and protective services, including both oper-
8 ating expenses and capital investments: *Provided*, That
9 the aggregate amount of new liabilities and obligations in-
10 curred during fiscal year 2018 under such section 5136
11 for circulating coinage and protective service capital in-
12 vestments of the United States Mint shall not exceed
13 \$30,000,000.

14 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

15 FUND PROGRAM ACCOUNT

16 To carry out the Riegle Community Development and
17 Regulatory Improvement Act of 1994 (subtitle A of title
18 I of Public Law 103–325), including services authorized
19 by section 3109 of title 5, United States Code, but at rates
20 for individuals not to exceed the per diem rate equivalent
21 to the rate for EX–3, \$190,000,000. Of the amount ap-
22 propriated under this heading—

23 (1) not less than \$137,000,000, notwith-
24 standing section 108(e) of Public Law 103–325 (12
25 U.S.C. 4707(e)) with regard to Small and/or Emerg-

1 ing Community Development Financial Institutions
2 Assistance awards, and section 108(d) of Public Law
3 103–325 (12 U.S.C. 4707(d)) shall not apply with
4 respect to financial assistance in the form of direct
5 loans, is available until September 30, 2019, for fi-
6 nancial assistance and technical assistance under
7 subparagraphs (A) and (B) of section 108(a)(1), re-
8 spectively, of Public Law 103–325 (12 U.S.C.
9 4707(a)(1)(A) and (B)), of which up to \$5,896,000
10 may be used for the cost of direct loans, and of
11 which up to \$3,000,000, subsection (d) of section
12 108 of Public Law 103–325 (12 U.S.C. 4707 (d))
13 shall not apply to the use of such funds, may be
14 available to provide financial assistance, technical as-
15 sistance, training and outreach to community devel-
16 opment financial institutions to expand investments
17 that benefit individuals with disabilities: *Provided*,
18 That the cost of direct and guaranteed loans, includ-
19 ing the cost of modifying such loans, shall be as de-
20 fined in section 502 of the Congressional Budget Act
21 of 1974: *Provided further*, That these funds are
22 available to subsidize gross obligations for the prin-
23 cipal amount of direct loans not to exceed
24 \$50,000,000;

1 (2) not less than \$15,000,000, notwithstanding
2 section 108(e) of Public Law 103–325 (12 U.S.C.
3 4707(e)), is available until September 30, 2019, for
4 financial assistance, technical assistance, training
5 and outreach programs designed to benefit Native
6 American, Native Hawaiian, and Native Alaskan
7 communities and provided primarily through quali-
8 fied community development lender organizations
9 with experience and expertise in community develop-
10 ment banking and lending in Indian country, Native
11 American organizations, tribes and tribal organiza-
12 tions, and other suitable providers;

13 (3) not less than \$15,000,000 is available until
14 September 30, 2019, for the Bank Enterprise Award
15 program;

16 (4) up to \$23,000,000 is available until Sep-
17 tember 30, 2018, for administrative expenses, in-
18 cluding administration of CDFI fund programs and
19 the New Markets Tax Credit Program, of which not
20 less than \$1,000,000 is for development of tools to
21 better assess and inform CDFI investment perform-
22 ance, and up to \$300,000 is for administrative ex-
23 penses to carry out the direct loan program; and

24 (5) during fiscal year 2018, none of the funds
25 available under this heading are available for the

1 cost, as defined in section 502 of the Congressional
2 Budget Act of 1974, of commitments to guarantee
3 bonds and notes under section 114A of the Riegle
4 Community Development and Regulatory Improve-
5 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
6 That commitments to guarantee bonds and notes
7 under such section 114A shall not exceed
8 \$500,000,000: *Provided further*, That such section
9 114A shall remain in effect until September 30,
10 2018: *Provided further*, That of the funds awarded
11 under this heading, not less than 10 percent shall be
12 used for awards that support investments that serve
13 populations living in persistent poverty counties:
14 *Provided further*, That for purposes of this section,
15 the term “persistent poverty counties” means any
16 county that has had 20 percent or more of its popu-
17 lation living in poverty over the past 30 years, as
18 measured by the 1990 and 2000 decennial censuses
19 and the most recent series of 5-year data available
20 from the American Community Survey from the
21 Census Bureau.

22 INTERNAL REVENUE SERVICE

23 TAXPAYER SERVICES

24 For necessary expenses of the Internal Revenue Serv-
25 ice to provide taxpayer services, including pre-filing assist-

1 ance and education, filing and account services, taxpayer
2 advocacy services, and other services as authorized by 5
3 U.S.C. 3109, at such rates as may be determined by the
4 Commissioner, \$2,315,754,000, of which \$8,890,000 shall
5 be for the Tax Counseling for the Elderly Program; of
6 which \$12,000,000 shall be available for low-income tax-
7 payer clinic grants; of which \$15,000,000, to remain avail-
8 able until September 30, 2019, shall be available for a
9 Community Volunteer Income Tax Assistance matching
10 grants program for tax return preparation assistance, of
11 which not less than \$206,000,000 shall be available for
12 operating expenses of the Taxpayer Advocate Service: *Pro-*
13 *vided*, That of the amounts made available for the Tax-
14 payer Advocate Service, not less than \$5,000,000 shall be
15 for identity theft casework.

16 ENFORCEMENT

17 For necessary expenses for tax enforcement activities
18 of the Internal Revenue Service to determine and collect
19 owed taxes, to provide legal and litigation support, to con-
20 duct criminal investigations, to enforce criminal statutes
21 related to violations of internal revenue laws and other fi-
22 nancial crimes, to purchase and hire passenger motor vehi-
23 cles (31 U.S.C. 1343(b)), and to provide other services
24 as authorized by 5 U.S.C. 3109, at such rates as may be
25 determined by the Commissioner, \$4,810,000,000, of

1 which not to exceed \$50,000,000 shall remain available
2 until September 30, 2019, and of which not less than
3 \$60,257,000 shall be for the Interagency Crime and Drug
4 Enforcement program.

5 OPERATIONS SUPPORT

6 For necessary expenses of the Internal Revenue Serv-
7 ice to support taxpayer services and enforcement pro-
8 grams, including rent payments; facilities services; print-
9 ing; postage; physical security; headquarters and other
10 IRS-wide administration activities; research and statistics
11 of income; telecommunications; information technology de-
12 velopment, enhancement, operations, maintenance, and se-
13 curity; the hire of passenger motor vehicles (31 U.S.C.
14 1343(b)); the operations of the Internal Revenue Service
15 Oversight Board; and other services as authorized by 5
16 U.S.C. 3109, at such rates as may be determined by the
17 Commissioner; \$3,850,189,000, of which not to exceed
18 \$50,000,000 shall remain available until September 30,
19 2019; of which not to exceed \$10,000,000 shall remain
20 available until expended for acquisition of equipment and
21 construction, repair and renovation of facilities; of which
22 not to exceed \$1,000,000 shall remain available until Sep-
23 tember 30, 2020, for research; of which not to exceed
24 \$20,000 shall be for official reception and representation
25 expenses: *Provided*, That not later than 30 days after the

1 end of each quarter, the Internal Revenue Service shall
2 submit a report to the Committees on Appropriations of
3 the House of Representatives and the Senate and the
4 Comptroller General of the United States detailing the
5 cost and schedule performance for its major information
6 technology investments, including the purpose and life-
7 cycle stages of the investments; the reasons for any cost
8 and schedule variances; the risks of such investments and
9 strategies the Internal Revenue Service is using to miti-
10 gate such risks; and the expected developmental mile-
11 stones to be achieved and costs to be incurred in the next
12 quarter: *Provided further*, That the Internal Revenue Serv-
13 ice shall include, in its budget justification for fiscal year
14 2019, a summary of cost and schedule performance infor-
15 mation for its major information technology systems.

16 BUSINESS SYSTEMS MODERNIZATION

17 For necessary expenses of the Internal Revenue Serv-
18 ice's business systems modernization program,
19 \$110,000,000, to remain available until September 30,
20 2020, for the capital asset acquisition of information tech-
21 nology systems, including management and related con-
22 tractual costs of said acquisitions, including related Inter-
23 nal Revenue Service labor costs, and contractual costs as-
24 sociated with operations authorized by 5 U.S.C. 3109:
25 *Provided*, That not later than 30 days after the end of

1 each quarter, the Internal Revenue Service shall submit
2 a report to the Committees on Appropriations of the
3 House of Representatives and the Senate and the Comp-
4 troller General of the United States detailing the cost and
5 schedule performance for CADE 2 and Return Renew
6 Program information technology investments, including
7 the purposes and life-cycle stages of the investments; the
8 reasons for any cost and schedule variances; the risks of
9 such investments and the strategies the Internal Revenue
10 Service is using to mitigate such risks; and the expected
11 developmental milestones to be achieved and costs to be
12 incurred in the next quarter.

13 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

14 SERVICE

15 (INCLUDING TRANSFERS OF FUNDS)

16 SEC. 101. Not to exceed 5 percent of any appropria-
17 tion made available in this Act to the Internal Revenue
18 Service may be transferred to any other Internal Revenue
19 Service appropriation upon the advance approval of the
20 Committees on Appropriations.

21 SEC. 102. The Internal Revenue Service shall main-
22 tain an employee training program, which shall include the
23 following topics: taxpayers' rights, dealing courteously
24 with taxpayers, cross-cultural relations, ethics, and the im-
25 partial application of tax law.

1 SEC. 103. The Internal Revenue Service shall insti-
2 tute and enforce policies and procedures that will safe-
3 guard the confidentiality of taxpayer information and pro-
4 tect taxpayers against identity theft.

5 SEC. 104. Funds made available by this or any other
6 Act to the Internal Revenue Service shall be available for
7 improved facilities and increased staffing to provide suffi-
8 cient and effective 1–800 help line service for taxpayers.
9 The Commissioner shall continue to make improvements
10 to the Internal Revenue Service 1–800 help line service
11 a priority and allocate resources necessary to enhance the
12 response time to taxpayer communications, particularly
13 with regard to victims of tax-related crimes.

14 SEC. 105. None of the funds made available to the
15 Internal Revenue Service by this Act may be used to make
16 a video unless the Service-Wide Video Editorial Board de-
17 termines in advance that making the video is appropriate,
18 taking into account the cost, topic, tone, and purpose of
19 the video.

20 SEC. 106. The Internal Revenue Service shall issue
21 a notice of confirmation of any address change relating
22 to an employer making employment tax payments, and
23 such notice shall be sent to both the employer’s former
24 and new address and an officer or employee of the Internal
25 Revenue Service shall give special consideration to an

1 offer-in-compromise from a taxpayer who has been the vic-
2 tim of fraud by a third party payroll tax preparer.

3 SEC. 107. None of the funds made available under
4 this Act may be used by the Internal Revenue Service to
5 target citizens of the United States for exercising any
6 right guaranteed under the First Amendment to the Con-
7 stitution of the United States.

8 SEC. 108. None of the funds made available in this
9 Act may be used by the Internal Revenue Service to target
10 groups for regulatory scrutiny based on their ideological
11 beliefs.

12 SEC. 109. None of funds made available by this Act
13 to the Internal Revenue Service shall be obligated or ex-
14 pended on conferences that do not adhere to the proce-
15 dures, verification processes, documentation requirements,
16 and policies issued by the Chief Financial Officer, Human
17 Capital Office, and Agency-Wide Shared Services as a re-
18 sult of the recommendations in the report published on
19 May 31, 2013, by the Treasury Inspector General for Tax
20 Administration entitled “Review of the August 2010 Small
21 Business/Self-Employed Division’s Conference in Ana-
22 heim, California” (Reference Number 2013–10–037).

23 SEC. 110. None of the funds made available in this
24 Act to the Internal Revenue Service may be obligated or
25 expended—

1 (1) to make a payment to any employee under
2 a bonus, award, or recognition program; or

3 (2) under any hiring or personnel selection
4 process with respect to re-hiring a former employee,
5 unless such program or process takes into account
6 the conduct and Federal tax compliance of such em-
7 ployee or former employee.

8 SEC. 111. None of the funds made available by this
9 Act may be used in contravention of section 6103 of the
10 Internal Revenue Code of 1986 (relating to confidentiality
11 and disclosure of returns and return information).

12 SEC. 112. None of the funds made available by this
13 Act may be used by the Internal Revenue Service to imple-
14 ment or enforce section 5000A of the Internal Revenue
15 Code of 1986, section 6055 of such Code, section 1502(c)
16 of the Patient Protection and Affordable Care Act (Public
17 Law 111–148), or any amendments made by section
18 1502(b) of such Act.

19 SEC. 113. Except to the extent provided in section
20 6014, 6020, or 6201(d) of the Internal Revenue Code of
21 1986, no funds in this or any other Act shall be available
22 to the Secretary of the Treasury to provide to any person
23 a proposed final return or statement for use by such per-
24 son to satisfy a filing or reporting requirement under such
25 Code.

1 SEC. 114. None of the funds made available by this
2 Act may be used by the Internal Revenue Service to imple-
3 ment or enforce Internal Revenue Service Notice 2017-
4 10 with respect to transactions entered into before Janu-
5 ary 23, 2017.

6 SEC. 115. None of the funds made available by this
7 Act may be used to finalize, implement, or enforce amend-
8 ments to Treasury Regulations proposed in the Notice of
9 Proposed Rulemaking in the Federal Register on August
10 4, 2016 (81 Fed. Reg. 51413) (relating to restrictions on
11 liquidation of an interest with respect to estate, gift, and
12 generation-skipping transfer taxes under section 2704 of
13 the Internal Revenue Code of 1986), or any substantially
14 similar amendments to such regulations.

15 SEC. 116. None of the funds made available by this
16 Act may be used by the Internal Revenue Service to make
17 a determination that a church, an integrated auxiliary of
18 a church, or a convention or association of churches is not
19 exempt from taxation for participating in, or intervening
20 in, any political campaign on behalf of (or in opposition
21 to) any candidate for public office unless—

22 (1) the Commissioner of Internal Revenue con-
23 sents to such determination;

24 (2) not later than 30 days after such deter-
25 mination, the Commissioner notifies the Committee

1 on Ways and Means of the House of Representatives
2 and the Committee on Finance of the Senate of such
3 determination; and

4 (3) such determination is effective with respect
5 to the church, integrated auxiliary of a church, or
6 convention or association of churches not earlier
7 than 90 days after the date of the notification under
8 paragraph (2).

9 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
10 TREASURY

11 (INCLUDING TRANSFERS OF FUNDS)

12 SEC. 117. Appropriations to the Department of the
13 Treasury in this Act shall be available for uniforms or al-
14 lowances therefor, as authorized by law (5 U.S.C. 5901),
15 including maintenance, repairs, and cleaning; purchase of
16 insurance for official motor vehicles operated in foreign
17 countries; purchase of motor vehicles without regard to the
18 general purchase price limitations for vehicles purchased
19 and used overseas for the current fiscal year; entering into
20 contracts with the Department of State for the furnishing
21 of health and medical services to employees and their de-
22 pendants serving in foreign countries; and services author-
23 ized by 5 U.S.C. 3109.

24 SEC. 118. Not to exceed 2 percent of any appropria-
25 tions in this title made available under the headings “De-

1 partmental Offices—Salaries and Expenses”, “Office of
2 Inspector General”, “Special Inspector General for the
3 Troubled Asset Relief Program”, “Financial Crimes En-
4 forcement Network”, “Bureau of the Fiscal Service”, and
5 “Alcohol and Tobacco Tax and Trade Bureau” may be
6 transferred between such appropriations upon the advance
7 approval of the Committees on Appropriations of the
8 House of Representatives and the Senate: *Provided*, That
9 no transfer under this section may increase or decrease
10 any such appropriation by more than 2 percent.

11 SEC. 119. Not to exceed 2 percent of any appropria-
12 tion made available in this Act to the Internal Revenue
13 Service may be transferred to the Treasury Inspector Gen-
14 eral for Tax Administration’s appropriation upon the ad-
15 vance approval of the Committees on Appropriations of
16 the House of Representatives and the Senate: *Provided*,
17 That no transfer may increase or decrease any such appro-
18 priation by more than 2 percent.

19 SEC. 120. None of the funds appropriated in this Act
20 or otherwise available to the Department of the Treasury
21 or the Bureau of Engraving and Printing may be used
22 to redesign the \$1 Federal Reserve note.

23 SEC. 121. The Secretary of the Treasury may trans-
24 fer funds from the “Bureau of the Fiscal Service-Salaries
25 and Expenses” to the Debt Collection Fund as necessary

1 to cover the costs of debt collection: *Provided*, That such
2 amounts shall be reimbursed to such salaries and expenses
3 account from debt collections received in the Debt Collec-
4 tion Fund.

5 SEC. 122. None of the funds appropriated or other-
6 wise made available by this or any other Act may be used
7 by the United States Mint to construct or operate any mu-
8 seum without the explicit approval of the Committees on
9 Appropriations of the House of Representatives and the
10 Senate, the House Committee on Financial Services, and
11 the Senate Committee on Banking, Housing, and Urban
12 Affairs.

13 SEC. 123. None of the funds appropriated or other-
14 wise made available by this or any other Act or source
15 to the Department of the Treasury, the Bureau of Engrav-
16 ing and Printing, and the United States Mint, individually
17 or collectively, may be used to consolidate any or all func-
18 tions of the Bureau of Engraving and Printing and the
19 United States Mint without the explicit approval of the
20 House Committee on Financial Services; the Senate Com-
21 mittee on Banking, Housing, and Urban Affairs; and the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate.

24 SEC. 124. Funds appropriated by this Act, or made
25 available by the transfer of funds in this Act, for the De-

1 partment of the Treasury's intelligence or intelligence re-
2 lated activities are deemed to be specifically authorized by
3 the Congress for purposes of section 504 of the National
4 Security Act of 1947 (50 U.S.C. 414) during fiscal year
5 2018 until the enactment of the Intelligence Authorization
6 Act for Fiscal Year 2018.

7 SEC. 125. Not to exceed \$5,000 shall be made avail-
8 able from the Bureau of Engraving and Printing's Indus-
9 trial Revolving Fund for necessary official reception and
10 representation expenses.

11 SEC. 126. The Secretary of the Treasury shall submit
12 a Capital Investment Plan to the Committees on Appro-
13 priations of the Senate and the House of Representatives
14 not later than 30 days following the submission of the an-
15 nual budget submitted by the President: *Provided*, That
16 such Capital Investment Plan shall include capital invest-
17 ment spending from all accounts within the Department
18 of the Treasury, including but not limited to the Depart-
19 ment-wide Systems and Capital Investment Programs ac-
20 count, Treasury Franchise Fund account, and the Treas-
21 ury Forfeiture Fund account: *Provided further*, That such
22 Capital Investment Plan shall include expenditures occur-
23 ring in previous fiscal years for each capital investment
24 project that has not been fully completed.

1 SEC. 127. (a) Not later than 60 days after the end
2 of each quarter, the Office of Financial Stability and the
3 Office of Financial Research shall submit reports on their
4 activities to the Committees on Appropriations of the
5 House of Representatives and the Senate, the Committee
6 on Financial Services of the House of Representatives and
7 the Senate Committee on Banking, Housing, and Urban
8 Affairs.

9 (b) The reports required under subsection (a) shall
10 include—

11 (1) the obligations made during the previous
12 quarter by object class, office, and activity;

13 (2) the estimated obligations for the remainder
14 of the fiscal year by object class, office, and activity;

15 (3) the number of full-time equivalents within
16 each office during the previous quarter;

17 (4) the estimated number of full-time equiva-
18 lents within each office for the remainder of the fis-
19 cal year; and

20 (5) actions taken to achieve the goals, objec-
21 tives, and performance measures of each office.

22 (c) At the request of any such Committees specified
23 in subsection (a), the Office of Financial Stability and the
24 Office of Financial Research shall make officials available

1 to testify on the contents of the reports required under
2 subsection (a).

3 SEC. 128. Within 45 days after the date of enactment
4 of this Act, the Secretary of the Treasury shall submit
5 an itemized report to the Committees on Appropriations
6 of the House of Representatives and the Senate on the
7 amount of total funds charged to each office by the Fran-
8 chise Fund including the amount charged for each service
9 provided by the Franchise Fund to each office, a detailed
10 description of the services, a detailed explanation of how
11 each charge for each service is calculated, and a descrip-
12 tion of the role customers have in governing in the Fran-
13 chise Fund.

14 SEC. 129. During fiscal year 2018—

15 (1) none of the funds made available in this or
16 any other Act may be used by the Department of
17 the Treasury, including the Internal Revenue Serv-
18 ice, to issue, revise, or finalize any regulation, rev-
19 enue ruling, or other guidance not limited to a par-
20 ticular taxpayer relating to the standard which is
21 used to determine whether an organization is oper-
22 ated exclusively for the promotion of social welfare
23 for purposes of section 501(c)(4) of the Internal
24 Revenue Code of 1986 (including the proposed regu-

1 lations published at 78 Fed. Reg. 71535 (November
2 29, 2013)); and

3 (2) the standard and definitions as in effect on
4 January 1, 2010, which are used to make such de-
5 terminations shall apply after the date of the enact-
6 ment of this Act for purposes of determining status
7 under section 501(c)(4) of such Code of organiza-
8 tions created on, before, or after such date.

9 SEC. 130. (a) None of the funds made available by
10 this Act may be used to approve, license, facilitate, author-
11 ize, or otherwise allow the use, purchase, trafficking, or
12 import of property confiscated by the Cuban Government.

13 (b) In this section, the terms “confiscated”, “Cuban
14 Government”, “property”, and “traffic” have the mean-
15 ings given such terms in paragraphs (4), (5), (12)(A), and
16 (13), respectively, of section 4 of the Cuban Liberty and
17 Democratic Solidarity (LIBERTAD) Act of 1996 (22
18 U.S.C. 6023).

19 SEC. 131. (a) None of the funds made available in
20 this Act may be used to authorize a general license or ap-
21 prove a specific license under section 501.801 or 515.527
22 of title 31, Code of Federal Regulations, with respect to
23 a mark, trade name, or commercial name that is the same
24 as or substantially similar to a mark, trade name, or com-
25 mercial name that was used in connection with a business

1 or assets that were confiscated unless the original owner
2 of the mark, trade name, or commercial name, or the
3 bona-fide successor-in-interest has expressly consented.

4 (b) In this section, the term “confiscated” has a
5 meaning given such term in section 4(4) of the Cuban Lib-
6 erty and Democratic Solidarity (LIBERTAD) Act of 1996
7 (22 U.S.C. 6023(4)).

8 SEC. 132. Notwithstanding paragraph (2) of section
9 402(c) of the Helping Families Save their Homes Act of
10 2009, in utilizing funds made available by paragraph (1)
11 of section 402(c) of such Act, the Special Inspector Gen-
12 eral for the Troubled Asset Relief Program shall prioritize
13 the performance of audits or investigations of any pro-
14 gram that is funded in whole or in part by funds appro-
15 priated under the Emergency Economic Stabilization Act
16 of 2008, to the extent that such priority is consistent with
17 other aspects of the mission of the Special Inspector Gen-
18 eral.

19 SEC. 133. None of the funds appropriated or other-
20 wise made available in this Act may be obligated or ex-
21 pended to provide for the enforcement of any rule, regula-
22 tion, policy, or guideline implemented pursuant to the De-
23 partment of the Treasury “Guidance for United States
24 Positions on MDBs Engaging with Developing Countries
25 on Coal-Fired Power Generation” dated October 29, 2013,

1 when enforcement of such rule, regulation, policy, or
2 guideline would prohibit or have the effect of prohibiting,
3 the carrying out of any coal-fired or other power genera-
4 tion project the purpose of which is to increase exports
5 of goods and services from the United States or prevent
6 the loss of jobs from the United States.

7 This title may be cited as the “Department of the
8 Treasury Appropriations Act, 2018”.

1 TITLE II
2 EXECUTIVE OFFICE OF THE PRESIDENT AND
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 THE WHITE HOUSE
5 SALARIES AND EXPENSES

6 For necessary expenses for the White House as au-
7 thorized by law, including not to exceed \$3,850,000 for
8 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
9 subsistence expenses as authorized by 3 U.S.C. 105, which
10 shall be expended and accounted for as provided in that
11 section; hire of passenger motor vehicles, and travel (not
12 to exceed \$100,000 to be expended and accounted for as
13 provided by 3 U.S.C. 103); and not to exceed \$19,000 for
14 official reception and representation expenses, to be avail-
15 able for allocation within the Executive Office of the Presi-
16 dent; and for necessary expenses of the Office of Policy
17 Development, including services as authorized by 5 U.S.C.
18 3109 and 3 U.S.C. 107, \$55,000,000.

19 EXECUTIVE RESIDENCE AT THE WHITE HOUSE
20 OPERATING EXPENSES

21 For necessary expenses of the Executive Residence
22 at the White House, \$12,917,000, to be expended and ac-
23 counted for as provided by 3 U.S.C. 105, 109, 110, and
24 112–114.

1 REIMBURSABLE EXPENSES

2 For the reimbursable expenses of the Executive Resi-
3 dence at the White House, such sums as may be nec-
4 essary: *Provided*, That all reimbursable operating expenses
5 of the Executive Residence shall be made in accordance
6 with the provisions of this paragraph: *Provided further*,
7 That, notwithstanding any other provision of law, such
8 amount for reimbursable operating expenses shall be the
9 exclusive authority of the Executive Residence to incur ob-
10 ligations and to receive offsetting collections, for such ex-
11 penses: *Provided further*, That the Executive Residence
12 shall require each person sponsoring a reimbursable polit-
13 ical event to pay in advance an amount equal to the esti-
14 mated cost of the event, and all such advance payments
15 shall be credited to this account and remain available until
16 expended: *Provided further*, That the Executive Residence
17 shall require the national committee of the political party
18 of the President to maintain on deposit \$25,000, to be
19 separately accounted for and available for expenses relat-
20 ing to reimbursable political events sponsored by such
21 committee during such fiscal year: *Provided further*, That
22 the Executive Residence shall ensure that a written notice
23 of any amount owed for a reimbursable operating expense
24 under this paragraph is submitted to the person owing
25 such amount within 60 days after such expense is in-

1 curred, and that such amount is collected within 30 days
2 after the submission of such notice: *Provided further*, That
3 the Executive Residence shall charge interest and assess
4 penalties and other charges on any such amount that is
5 not reimbursed within such 30 days, in accordance with
6 the interest and penalty provisions applicable to an out-
7 standing debt on a United States Government claim under
8 31 U.S.C. 3717: *Provided further*, That each such amount
9 that is reimbursed, and any accompanying interest and
10 charges, shall be deposited in the Treasury as miscella-
11 neous receipts: *Provided further*, That the Executive Resi-
12 dence shall prepare and submit to the Committees on Ap-
13 propriations, by not later than 90 days after the end of
14 the fiscal year covered by this Act, a report setting forth
15 the reimbursable operating expenses of the Executive Res-
16 idence during the preceding fiscal year, including the total
17 amount of such expenses, the amount of such total that
18 consists of reimbursable official and ceremonial events, the
19 amount of such total that consists of reimbursable political
20 events, and the portion of each such amount that has been
21 reimbursed as of the date of the report: *Provided further*,
22 That the Executive Residence shall maintain a system for
23 the tracking of expenses related to reimbursable events
24 within the Executive Residence that includes a standard
25 for the classification of any such expense as political or

1 nonpolitical: *Provided further*, That no provision of this
2 paragraph may be construed to exempt the Executive Res-
3 idence from any other applicable requirement of sub-
4 chapter I or II of chapter 37 of title 31, United States
5 Code.

6 WHITE HOUSE REPAIR AND RESTORATION

7 For the repair, alteration, and improvement of the
8 Executive Residence at the White House pursuant to 3
9 U.S.C. 105(d), \$750,000, to remain available until ex-
10 pended, for required maintenance, resolution of safety and
11 health issues, and continued preventative maintenance.

12 COUNCIL OF ECONOMIC ADVISERS

13 SALARIES AND EXPENSES

14 For necessary expenses of the Council of Economic
15 Advisers in carrying out its functions under the Employ-
16 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000.

17 NATIONAL SECURITY COUNCIL AND HOMELAND

18 SECURITY COUNCIL

19 SALARIES AND EXPENSES

20 For necessary expenses of the National Security
21 Council and the Homeland Security Council, including
22 services as authorized by 5 U.S.C. 3109, \$11,800,000.

1 OFFICE OF ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Administra-
4 tion, including services as authorized by 5 U.S.C. 3109
5 and 3 U.S.C. 107, and hire of passenger motor vehicles,
6 \$100,000,000, of which not to exceed \$12,800,000 shall
7 remain available until expended for continued moderniza-
8 tion of information resources within the Executive Office
9 of the President.

10 OFFICE OF MANAGEMENT AND BUDGET

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Management
13 and Budget, including hire of passenger motor vehicles
14 and services as authorized by 5 U.S.C. 3109, to carry out
15 the provisions of chapter 35 of title 44, United States
16 Code, and to prepare and submit the budget of the United
17 States Government, in accordance with section 1105(a) of
18 title 31, United States Code, \$100,000,000, of which not
19 to exceed \$3,000 shall be available for official representa-
20 tion expenses: *Provided*, That none of the funds appro-
21 priated in this Act for the Office of Management and
22 Budget may be used for the purpose of reviewing any agri-
23 cultural marketing orders or any activities or regulations
24 under the provisions of the Agricultural Marketing Agree-
25 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,

1 That none of the funds made available for the Office of
2 Management and Budget by this Act may be expended for
3 the altering of the transcript of actual testimony of wit-
4 nesses, except for testimony of officials of the Office of
5 Management and Budget, before the Committees on Ap-
6 propriations or their subcommittees: *Provided further*,
7 That of the funds made available for the Office of Man-
8 agement and Budget by this Act, no less than three full-
9 time equivalent senior staff position shall be dedicated
10 solely to the Office of the Intellectual Property Enforce-
11 ment Coordinator: *Provided further*, That none of the
12 funds provided in this or prior Acts shall be used, directly
13 or indirectly, by the Office of Management and Budget,
14 for evaluating or determining if water resource project or
15 study reports submitted by the Chief of Engineers acting
16 through the Secretary of the Army are in compliance with
17 all applicable laws, regulations, and requirements relevant
18 to the Civil Works water resource planning process: *Pro-*
19 *vided further*, That the Office of Management and Budget
20 shall have not more than 60 days in which to perform
21 budgetary policy reviews of water resource matters on
22 which the Chief of Engineers has reported: *Provided fur-*
23 *ther*, That the Director of the Office of Management and
24 Budget shall notify the appropriate authorizing and ap-
25 propriating committees when the 60-day review is initi-

1 ated: *Provided further*, That if water resource reports have
2 not been transmitted to the appropriate authorizing and
3 appropriating committees within 15 days after the end of
4 the Office of Management and Budget review period based
5 on the notification from the Director, Congress shall as-
6 sume Office of Management and Budget concurrence with
7 the report and act accordingly.

8 OFFICE OF NATIONAL DRUG CONTROL POLICY

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of National
11 Drug Control Policy; for research activities pursuant to
12 the Office of National Drug Control Policy Reauthoriza-
13 tion Act of 2006 (Public Law 109–469); not to exceed
14 \$10,000 for official reception and representation expenses;
15 and for participation in joint projects or in the provision
16 of services on matters of mutual interest with nonprofit,
17 research, or public organizations or agencies, with or with-
18 out reimbursement, \$18,400,000: *Provided*, That the Of-
19 fice is authorized to accept, hold, administer, and utilize
20 gifts, both real and personal, public and private, without
21 fiscal year limitation, for the purpose of aiding or facili-
22 tating the work of the Office.

1 FEDERAL DRUG CONTROL PROGRAMS

2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy's High Intensity Drug Trafficking
6 Areas Program, \$254,000,000, to remain available until
7 September 30, 2019, for drug control activities consistent
8 with the approved strategy for each of the designated
9 High Intensity Drug Trafficking Areas ("HIDTAs"), of
10 which not less than 51 percent shall be transferred to
11 State and local entities for drug control activities and shall
12 be obligated not later than 120 days after enactment of
13 this Act: *Provided*, That up to 49 percent may be trans-
14 ferred to Federal agencies and departments in amounts
15 determined by the Director of the Office of National Drug
16 Control Policy, of which up to \$2,700,000 may be used
17 for auditing services and associated activities: *Provided*
18 *further*, That, notwithstanding the requirements of Public
19 Law 106–58, any unexpended funds obligated prior to fis-
20 cal year 2016 may be used for any other approved activi-
21 ties of that HIDTA, subject to reprogramming require-
22 ments: *Provided further*, That each HIDTA designated as
23 of September 30, 2017, shall be funded at not less than
24 the fiscal year 2017 base level, unless the Director submits
25 to the Committees on Appropriations of the House of Rep-

1 representatives and the Senate justification for changes to
2 those levels based on clearly articulated priorities and pub-
3 lished Office of National Drug Control Policy performance
4 measures of effectiveness: *Provided further*, That the Di-
5 rector shall notify the Committees on Appropriations of
6 the initial allocation of fiscal year 2018 funding among
7 HIDTAs not later than 45 days after enactment of this
8 Act, and shall notify the Committees of planned uses of
9 discretionary HIDTA funding, as determined in consulta-
10 tion with the HIDTA Directors, not later than 90 days
11 after enactment of this Act: *Provided further*, That upon
12 a determination that all or part of the funds so transferred
13 from this appropriation are not necessary for the purposes
14 provided herein and upon notification to the Committees
15 on Appropriations of the House of Representatives and the
16 Senate, such amounts may be transferred back to this ap-
17 propriation.

18 OTHER FEDERAL DRUG CONTROL PROGRAMS

19 (INCLUDING TRANSFERS OF FUNDS)

20 For other drug control activities authorized by the
21 Office of National Drug Control Policy Reauthorization
22 Act of 2006 (Public Law 109–469), \$108,843,000, to re-
23 main available until expended, which shall be available as
24 follows: \$91,000,000 for the Drug-Free Communities Pro-
25 gram, of which \$2,000,000 shall be made available as di-

1 rected by section 4 of Public Law 107–82, as amended
2 by Public Law 109–469 (21 U.S.C. 1521 note);
3 \$2,000,000 for drug court training and technical assist-
4 ance; \$9,500,000 for anti-doping activities; \$2,343,000 for
5 the United States membership dues to the World Anti-
6 Doping Agency; \$1,000,000 shall be made available as di-
7 rected by section 1105 of Public Law 109–469; and
8 \$3,000,000, to remain available until expended, shall be
9 for activities authorized by section 103 of Public Law
10 114–198: *Provided*, That amounts made available under
11 this heading may be transferred to other Federal depart-
12 ments and agencies to carry out such activities.

13 UNANTICIPATED NEEDS

14 For expenses necessary to enable the President to
15 meet unanticipated needs, in furtherance of the national
16 interest, security, or defense which may arise at home or
17 abroad during the current fiscal year, as authorized by
18 3 U.S.C. 108, \$798,000, to remain available until Sep-
19 tember 30, 2019.

20 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for the furtherance of inte-
23 grated, efficient, secure, and effective uses of information
24 technology in the Federal Government, \$20,000,000, to
25 remain available until expended: *Provided*, That the Direc-

1 tor of the Office of Management and Budget may transfer
2 these funds to one or more other agencies to carry out
3 projects to meet these purposes.

4 SPECIAL ASSISTANCE TO THE PRESIDENT

5 SALARIES AND EXPENSES

6 For necessary expenses to enable the Vice President
7 to provide assistance to the President in connection with
8 specially assigned functions; services as authorized by 5
9 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
10 penses as authorized by 3 U.S.C. 106, which shall be ex-
11 pended and accounted for as provided in that section; and
12 hire of passenger motor vehicles, \$4,288,000.

13 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

14 OPERATING EXPENSES

15 (INCLUDING TRANSFER OF FUNDS)

16 For the care, operation, refurnishing, improvement,
17 and to the extent not otherwise provided for, heating and
18 lighting, including electric power and fixtures, of the offi-
19 cial residence of the Vice President; the hire of passenger
20 motor vehicles; and not to exceed \$90,000 pursuant to 3
21 U.S.C. 106(b)(2), \$302,000: *Provided*, That advances, re-
22 payments, or transfers from this appropriation may be
23 made to any department or agency for expenses of car-
24 rying out such activities.

1 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
2 THE PRESIDENT AND FUNDS APPROPRIATED TO
3 THE PRESIDENT

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. From funds made available in this Act
6 under the headings “The White House”, “Executive Resi-
7 dence at the White House”, “White House Repair and
8 Restoration”, “Council of Economic Advisers”, “National
9 Security Council and Homeland Security Council”, “Of-
10 fice of Administration”, “Special Assistance to the Presi-
11 dent”, and “Official Residence of the Vice President”, the
12 Director of the Office of Management and Budget (or
13 such other officer as the President may designate in writ-
14 ing), may, with advance approval of the Committees on
15 Appropriations of the House of Representatives and the
16 Senate, transfer not to exceed 10 percent of any such ap-
17 propriation to any other such appropriation, to be merged
18 with and available for the same time and for the same
19 purposes as the appropriation to which transferred: *Pro-*
20 *vided*, That the amount of an appropriation shall not be
21 increased by more than 50 percent by such transfers: *Pro-*
22 *vided further*, That no amount shall be transferred from
23 “Special Assistance to the President” or “Official Resi-
24 dence of the Vice President” without the approval of the
25 Vice President.

1 SEC. 202. Within 90 days after the date of enactment
2 of this section, the Director of the Office of Management
3 and Budget shall submit a report to the Committees on
4 Appropriations of the House of Representatives and the
5 Senate on the costs of implementing the Dodd-Frank Wall
6 Street Reform and Consumer Protection Act (Public Law
7 111–203). Such report shall include—

8 (1) the estimated mandatory and discretionary
9 obligations of funds through fiscal year 2019, by
10 Federal agency and by fiscal year, including—

11 (A) the estimated obligations by cost in-
12 puts such as rent, information technology, con-
13 tracts, and personnel;

14 (B) the methodology and data sources used
15 to calculate such estimated obligations; and

16 (C) the specific section of such Act that re-
17 quires the obligation of funds; and

18 (2) the estimated receipts through fiscal year
19 2019 from assessments, user fees, and other fees by
20 the Federal agency making the collections, by fiscal
21 year, including—

22 (A) the methodology and data sources used
23 to calculate such estimated collections; and

24 (B) the specific section of such Act that
25 authorizes the collection of funds.

1 SEC. 203. (a) During fiscal year 2018, any Executive
2 order or Presidential memorandum issued or revoked by
3 the President shall be accompanied by a written statement
4 from the Director of the Office of Management and Budg-
5 et on the budgetary impact, including costs, benefits, and
6 revenues, of such order or memorandum.

7 (b) Any such statement shall include—

8 (1) a narrative summary of the budgetary im-
9 pact of such order or memorandum on the Federal
10 Government;

11 (2) the impact on mandatory and discretionary
12 obligations and outlays as the result of such order
13 or memorandum, listed by Federal agency, for each
14 year in the 5-fiscal-year period beginning in fiscal
15 year 2018; and

16 (3) the impact on revenues of the Federal Gov-
17 ernment as the result of such order or memorandum
18 over the 5-fiscal-year period beginning in fiscal year
19 2018.

20 (c) If an Executive order or Presidential memo-
21 randum is issued during fiscal year 2018 due to a national
22 emergency, the Director of the Office of Management and
23 Budget may issue the statement required by subsection
24 (a) not later than 15 days after the date that such order
25 or memorandum is issued.

1 (d) The requirement for cost estimates for Presi-
2 dential memoranda shall only apply for Presidential
3 memoranda estimated to have a regulatory cost in excess
4 of \$100,000,000.

5 This title may be cited as the “Executive Office of
6 the President Appropriations Act, 2018”.

1 TITLE III
2 THE JUDICIARY
3 SUPREME COURT OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For expenses necessary for the operation of the Su-
6 preme Court, as required by law, excluding care of the
7 building and grounds, including hire of passenger motor
8 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
9 to exceed \$10,000 for official reception and representation
10 expenses; and for miscellaneous expenses, to be expended
11 as the Chief Justice may approve, \$78,538,000, of which
12 \$1,500,000 shall remain available until expended.

13 In addition, there are appropriated such sums as may
14 be necessary under current law for the salaries of the chief
15 justice and associate justices of the court.

16 CARE OF THE BUILDING AND GROUNDS

17 For such expenditures as may be necessary to enable
18 the Architect of the Capitol to carry out the duties im-
19 posed upon the Architect by 40 U.S.C. 6111 and 6112,
20 \$15,000,000, to remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of officers and employees, and for nec-
5 essary expenses of the court, as authorized by law,
6 \$30,592,000.

7 In addition, there are appropriated such sums as may
8 be necessary under current law for the salaries of the chief
9 judge and judges of the court.

10 UNITED STATES COURT OF INTERNATIONAL TRADE

11 SALARIES AND EXPENSES

12 For salaries of officers and employees of the court,
13 services, and necessary expenses of the court, as author-
14 ized by law, \$18,556,000.

15 In addition, there are appropriated such sums as may
16 be necessary under current law for the salaries of the chief
17 judge and judges of the court.

18 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

19 JUDICIAL SERVICES

20 SALARIES AND EXPENSES

21 For the salaries of judges of the United States Court
22 of Federal Claims, magistrate judges, and all other offi-
23 cers and employees of the Federal Judiciary not otherwise
24 specifically provided for, necessary expenses of the courts,
25 and the purchase, rental, repair, and cleaning of uniforms

1 for Probation and Pretrial Services Office staff, as author-
2 ized by law, \$5,082,710,000 (including the purchase of
3 firearms and ammunition); of which not to exceed
4 \$27,817,000 shall remain available until expended for
5 space alteration projects and for furniture and furnishings
6 related to new space alteration and construction projects.

7 In addition, there are appropriated such sums as may
8 be necessary under current law for the salaries of circuit
9 and district judges (including judges of the territorial
10 courts of the United States), bankruptcy judges, and jus-
11 tices and judges retired from office or from regular active
12 service.

13 In addition, for expenses of the United States Court
14 of Federal Claims associated with processing cases under
15 the National Childhood Vaccine Injury Act of 1986 (Pub-
16 lic Law 99–660), not to exceed \$7,366,000, to be appro-
17 priated from the Vaccine Injury Compensation Trust
18 Fund.

19 DEFENDER SERVICES

20 For the operation of Federal Defender organizations;
21 the compensation and reimbursement of expenses of attor-
22 neys appointed to represent persons under 18 U.S.C.
23 3006A and 3599, and for the compensation and reim-
24 bursement of expenses of persons furnishing investigative,
25 expert, and other services for such representations as au-

1 thorized by law; the compensation (in accordance with the
2 maximums under 18 U.S.C. 3006A) and reimbursement
3 of expenses of attorneys appointed to assist the court in
4 criminal cases where the defendant has waived representa-
5 tion by counsel; the compensation and reimbursement of
6 expenses of attorneys appointed to represent jurors in civil
7 actions for the protection of their employment, as author-
8 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
9 bursement of expenses of attorneys appointed under 18
10 U.S.C. 983(b)(1) in connection with certain judicial civil
11 forfeiture proceedings; the compensation and reimburse-
12 ment of travel expenses of guardians ad litem appointed
13 under 18 U.S.C. 4100(b); and for necessary training and
14 general administrative expenses, \$1,110,375,000 to re-
15 main available until expended.

16 FEES OF JURORS AND COMMISSIONERS

17 For fees and expenses of jurors as authorized by 28
18 U.S.C. 1871 and 1876; compensation of jury commis-
19 sioners as authorized by 28 U.S.C. 1863; and compensa-
20 tion of commissioners appointed in condemnation cases
21 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
22 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$39,929,000,
23 to remain available until expended: *Provided*, That the
24 compensation of land commissioners shall not exceed the

1 daily equivalent of the highest rate payable under 5 U.S.C.
2 5332.

3 COURT SECURITY
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 incident to the provision of protective guard services for
7 United States courthouses and other facilities housing
8 Federal court operations, and the procurement, installa-
9 tion, and maintenance of security systems and equipment
10 for United States courthouses and other facilities housing
11 Federal court operations, including building ingress-egress
12 control, inspection of mail and packages, directed security
13 patrols, perimeter security, basic security services provided
14 by the Federal Protective Service, and other similar activi-
15 ties as authorized by section 1010 of the Judicial Improve-
16 ment and Access to Justice Act (Public Law 100–702),
17 \$574,593,000, of which not to exceed \$20,000,000 shall
18 remain available until expended, to be expended directly
19 or transferred to the United States Marshals Service,
20 which shall be responsible for administering the Judicial
21 Facility Security Program consistent with standards or
22 guidelines agreed to by the Director of the Administrative
23 Office of the United States Courts and the Attorney Gen-
24 eral.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$87,920,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90-219, \$28,708,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2019, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out
23 the provisions of chapter 58 of title 28, United States
24 Code, \$18,338,000, of which not to exceed \$1,000 is au-
25 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 301. Appropriations and authorizations made in
4 this title which are available for salaries and expenses shall
5 be available for services as authorized by 5 U.S.C. 3109.

6 SEC. 302. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the Judi-
8 ciary in this Act may be transferred between such appro-
9 priations, but no such appropriation, except “Courts of
10 Appeals, District Courts, and Other Judicial Services, De-
11 fender Services” and “Courts of Appeals, District Courts,
12 and Other Judicial Services, Fees of Jurors and Commis-
13 sioners”, shall be increased by more than 10 percent by
14 any such transfers: *Provided*, That any transfer pursuant
15 to this section shall be treated as a reprogramming of
16 funds under sections 604 and 608 of this Act and shall
17 not be available for obligation or expenditure except in
18 compliance with the procedures set forth in section 608.

19 SEC. 303. Notwithstanding any other provision of
20 law, the salaries and expenses appropriation for “Courts
21 of Appeals, District Courts, and Other Judicial Services”
22 shall be available for official reception and representation
23 expenses of the Judicial Conference of the United States:
24 *Provided*, That such available funds shall not exceed
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 3315(a) of title 40, United States
4 Code, shall be applied by substituting “Federal” for “exec-
5 utive” each place it appears.

6 SEC. 305. In accordance with 28 U.S.C. 561–569,
7 and notwithstanding any other provision of law, the
8 United States Marshals Service shall provide, for such
9 courthouses as its Director may designate in consultation
10 with the Director of the Administrative Office of the
11 United States Courts, for purposes of a pilot program, the
12 security services that 40 U.S.C. 1315 authorizes the De-
13 partment of Homeland Security to provide, except for the
14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
15 ing-specific security services at these courthouses, the Di-
16 rector of the Administrative Office of the United States
17 Courts shall reimburse the United States Marshals Service
18 rather than the Department of Homeland Security.

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
21 note), is amended in the second sentence (relating to the
22 District of Kansas) following paragraph (12), by striking
23 “26 years and 6 months” and inserting “27 years and
24 6 months”.

1 (b) Section 406 of the Transportation, Treasury,
2 Housing and Urban Development, the Judiciary, the Dis-
3 trict of Columbia, and Independent Agencies Appropria-
4 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
5 28 U.S.C. 133 note) is amended in the second sentence
6 (relating to the eastern District of Missouri) by striking
7 “24 years and 6 months” and inserting “25 years and
8 6 months”.

9 (c) Section 312(c)(2) of the 21st Century Depart-
10 ment of Justice Appropriations Authorization Act (Public
11 Law 107–273; 28 U.S.C. 133 note), is amended—

12 (1) in the first sentence by inserting after “ex-
13 cept in the case of” the following: “the northern dis-
14 trict of Alabama,”;

15 (2) in the first sentence by inserting after “the
16 central district of California” the following: “,”;

17 (3) in the first sentence by striking “15 years”
18 and inserting “16 years”;

19 (4) by adding at the end of the first sentence
20 the following: “The first vacancy in the office of dis-
21 trict judge in the district of Alabama occurring 15
22 years or more after the confirmation date of the
23 judge named to fill the temporary district judgeship
24 created in that district by this subsection, shall not
25 be filled.”;

1 (5) in the third sentence (relating to the central
2 District of California), by striking “14 years and 6
3 months” and inserting “15 years and 6 months”;
4 and

5 (6) in the fourth sentence (relating to the west-
6 ern district of North Carolina), by striking “13
7 years” and inserting “14 years”.

8 SEC. 307. (a) Section 2(a)(2)(C)(i) of the Temporary
9 Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C.
10 152 note; Public Law 112–121 as amended) is amended
11 by striking “6 years” and inserting “7 years”.

12 (b) Section 2(a)(2)(D)(i) of the Temporary Bank-
13 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152
14 note; Public Law 112–121 as amended) is amended by
15 striking “6 years” and inserting “7 years”.

16 (c) Section 2(a)(2)(F)(i) of the Temporary Bank-
17 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152
18 note; Public Law 112–121 as amended) is amended by
19 striking “6 years” and inserting “7 years”.

20 (d) Section 2(a)(2)(G)(i) of the Temporary Bank-
21 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152
22 note; Public Law 112–121 as amended) is amended by
23 striking “6 years” and inserting “7 years”.

24 (e) Section 2(a)(2)(H)(i) of the Temporary Bank-
25 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152

1 note; Public Law 112–121 as amended) is amended by
2 striking “6 years” and inserting “7 years”.

3 This title may be cited as the “Judiciary Appropria-
4 tions Act, 2018”.

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia,
to be deposited into a dedicated account, for a nationwide
program to be administered by the Mayor, for District of
Columbia resident tuition support, \$30,000,000, to remain
available until expended: *Provided*, That such funds, in-
cluding any interest accrued thereon, may be used on be-
half of eligible District of Columbia residents to pay an
amount based upon the difference between in-State and
out-of-State tuition at public institutions of higher edu-
cation, or to pay up to \$2,500 each year at eligible private
institutions of higher education: *Provided further*, That the
awarding of such funds may be prioritized on the basis
of a resident's academic merit, the income and need of
eligible students and such other factors as may be author-
ized: *Provided further*, That the District of Columbia gov-
ernment shall maintain a dedicated account for the Resi-
dent Tuition Support Program that shall consist of the
Federal funds appropriated to the Program in this Act
and any subsequent appropriations, any unobligated bal-
ances from prior fiscal years, and any interest earned in
this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia
2 Chief Financial Officer, who shall use those funds solely
3 for the purposes of carrying out the Resident Tuition Sup-
4 port Program: *Provided further*, That the Office of the
5 Chief Financial Officer shall provide a quarterly financial
6 report to the Committees on Appropriations of the House
7 of Representatives and the Senate for these funds show-
8 ing, by object class, the expenditures made and the pur-
9 pose therefor.

10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

12 For a Federal payment of necessary expenses, as de-
13 termined by the Mayor of the District of Columbia in writ-
14 ten consultation with the elected county or city officials
15 of surrounding jurisdictions, \$13,000,000, to remain
16 available until expended, for the costs of providing public
17 safety at events related to the presence of the National
18 Capital in the District of Columbia, including support re-
19 quested by the Director of the United States Secret Serv-
20 ice in carrying out protective duties under the direction
21 of the Secretary of Homeland Security, and for the costs
22 of providing support to respond to immediate and specific
23 terrorist threats or attacks in the District of Columbia or
24 surrounding jurisdictions.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

2 COURTS

3 For salaries and expenses for the District of Colum-
4 bia Courts, \$265,400,000 to be allocated as follows: for
5 the District of Columbia Court of Appeals, \$14,000,000,
6 of which not to exceed \$2,500 is for official reception and
7 representation expenses; for the Superior Court of the
8 District of Columbia, \$121,000,000, of which not to ex-
9 ceed \$2,500 is for official reception and representation ex-
10 penses; for the District of Columbia Court System,
11 \$71,500,000, of which not to exceed \$2,500 is for official
12 reception and representation expenses; and \$58,900,000,
13 to remain available until September 30, 2019, for capital
14 improvements for District of Columbia courthouse facili-
15 ties: *Provided*, That funds made available for capital im-
16 provements shall be expended consistent with the District
17 of Columbia Courts master plan study and facilities condi-
18 tion assessment: *Provided further*, That notwithstanding
19 any other provision of law, all amounts under this heading
20 shall be apportioned quarterly by the Office of Manage-
21 ment and Budget and obligated and expended in the same
22 manner as funds appropriated for salaries and expenses
23 of other Federal agencies: *Provided further*, That 30 days
24 after providing written notice to the Committees on Ap-
25 propriations of the House of Representatives and the Sen-

1 ate, the District of Columbia Courts may reallocate not
2 more than \$6,000,000 of the funds provided under this
3 heading among the items and entities funded under this
4 heading: *Provided further*, That the Joint Committee on
5 Judicial Administration in the District of Columbia may,
6 by regulation, establish a program substantially similar to
7 the program set forth in subchapter II of chapter 35 of
8 title 5, United States Code, for employees of the District
9 of Columbia Courts.

10 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
11 DISTRICT OF COLUMBIA COURTS
12 (INCLUDING TRANSFER OF FUNDS)

13 For payments authorized under section 11–2604 and
14 section 11–2605, D.C. Official Code (relating to represen-
15 tation provided under the District of Columbia Criminal
16 Justice Act), payments for counsel appointed in pro-
17 ceedings in the Family Court of the Superior Court of the
18 District of Columbia under chapter 23 of title 16, D.C.
19 Official Code, or pursuant to contractual agreements to
20 provide guardian ad litem representation, training, tech-
21 nical assistance, and such other services as are necessary
22 to improve the quality of guardian ad litem representation,
23 payments for counsel appointed in adoption proceedings
24 under chapter 3 of title 16, D.C. Official Code, and pay-
25 ments authorized under section 21–2060, D.C. Official

1 Code (relating to services provided under the District of
2 Columbia Guardianship, Protective Proceedings, and Du-
3 rable Power of Attorney Act of 1986), \$49,890,000, to
4 remain available until expended: *Provided*, That not more
5 than \$20,000,000 in unobligated funds provided in this
6 account may be transferred to and merged with funds
7 made available under the heading "Federal Payment to
8 the District of Columbia Courts," to be available for the
9 same period and purposes as funds made available under
10 that heading for capital improvements to District of Co-
11 lumbia courthouse facilities: *Provided*, That funds pro-
12 vided under this heading shall be administered by the
13 Joint Committee on Judicial Administration in the Dis-
14 trict of Columbia: *Provided further*, That, notwithstanding
15 any other provision of law, this appropriation shall be ap-
16 portioned quarterly by the Office of Management and
17 Budget and obligated and expended in the same manner
18 as funds appropriated for expenses of other Federal agen-
19 cies.

20 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
21 FENDER SUPERVISION AGENCY FOR THE DISTRICT
22 OF COLUMBIA

23 For salaries and expenses, including the transfer and
24 hire of motor vehicles, of the Court Services and Offender
25 Supervision Agency for the District of Columbia, as au-

1 thorized by the National Capital Revitalization and Self-
2 Government Improvement Act of 1997, \$244,298,000, of
3 which not to exceed \$2,000 is for official reception and
4 representation expenses related to Community Supervision
5 and Pretrial Services Agency programs, of which not to
6 exceed \$25,000 is for dues and assessments relating to
7 the implementation of the Court Services and Offender
8 Supervision Agency Interstate Supervision Act of 2002;
9 of which \$180,840,000 shall be for necessary expenses of
10 Community Supervision and Sex Offender Registration, to
11 include expenses relating to the supervision of adults sub-
12 ject to protection orders or the provision of services for
13 or related to such persons; and of which \$63,458,000 shall
14 be available to the Pretrial Services Agency: *Provided*,
15 That notwithstanding any other provision of law, all
16 amounts under this heading shall be apportioned quarterly
17 by the Office of Management and Budget and obligated
18 and expended in the same manner as funds appropriated
19 for salaries and expenses of other Federal agencies: *Pro-*
20 *vided further*, That amounts under this heading may be
21 used for programmatic incentives for defendants to suc-
22 cessfully complete their terms of supervision.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

2 PUBLIC DEFENDER SERVICE

3 For salaries and expenses, including the transfer and
4 hire of motor vehicles, of the District of Columbia Public
5 Defender Service, as authorized by the National Capital
6 Revitalization and Self-Government Improvement Act of
7 1997, \$40,082,000: *Provided*, That notwithstanding any
8 other provision of law, all amounts under this heading
9 shall be apportioned quarterly by the Office of Manage-
10 ment and Budget and obligated and expended in the same
11 manner as funds appropriated for salaries and expenses
12 of Federal agencies.

13 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

14 COORDINATING COUNCIL

15 For a Federal payment to the Criminal Justice Co-
16 ordinating Council, \$1,900,000, to remain available until
17 expended, to support initiatives related to the coordination
18 of Federal and local criminal justice resources in the Dis-
19 trict of Columbia.

20 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

21 For a Federal payment, to remain available until
22 September 30, 2019, to the Commission on Judicial Dis-
23 abilities and Tenure, \$295,000, and for the Judicial Nomi-
24 nation Commission, \$270,000.

1 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

2 For a Federal payment for a school improvement pro-
3 gram in the District of Columbia, \$45,000,000, to remain
4 available until expended, for payments authorized under
5 the Scholarship for Opportunity and Results Act (division
6 C of Public Law 112–10): *Provided*, That, to the extent
7 that funds are available for opportunity scholarships and
8 following the priorities included in section 3006 of such
9 Act, the Secretary of Education shall make scholarships
10 available to students eligible under section 3013(3) of such
11 Act (Public Law 112–10; 125 Stat. 211) including stu-
12 dents who were not offered a scholarship during any pre-
13 vious school year: *Provided further*, That within funds pro-
14 vided for opportunity scholarships \$3,200,000 shall be for
15 the activities specified in sections 3007(b) through
16 3007(d) and 3009 of the Act.

17 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

18 NATIONAL GUARD

19 For a Federal payment to the District of Columbia
20 National Guard, \$435,000, to remain available until ex-
21 pended for the Major General David F. Wherley, Jr. Dis-
22 trict of Columbia National Guard Retention and College
23 Access Program.

1 as of the date of the enactment of this Act, or the sum
2 of the total revenues of the District of Columbia for such
3 fiscal year: *Provided further*, That the amount appro-
4 priated may be increased by proceeds of one-time trans-
5 actions, which are expended for emergency or unantici-
6 pated operating or capital needs: *Provided further*, That
7 such increases shall be approved by enactment of local
8 District law and shall comply with all reserve requirements
9 contained in the District of Columbia Home Rule Act:
10 *Provided further*, That the Chief Financial Officer of the
11 District of Columbia shall take such steps as are necessary
12 to assure that the District of Columbia meets these re-
13 quirements, including the apportioning by the Chief Fi-
14 nancial Officer of the appropriations and funds made
15 available to the District during fiscal year 2018, except
16 that the Chief Financial Officer may not reprogram for
17 operating expenses any funds derived from bonds, notes,
18 or other obligations issued for capital projects.

19 This title may be cited as the “District of Columbia
20 Appropriations Act, 2018”.

1 TITLE V
2 INDEPENDENT AGENCIES
3 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For necessary expenses of the Administrative Con-
6 ference of the United States, authorized by 5 U.S.C. 591
7 et seq., \$3,100,000, to remain available until September
8 30, 2019, of which not to exceed \$1,000 is for official re-
9 ception and representation expenses.

10 CONSUMER PRODUCT SAFETY COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Consumer Product
13 Safety Commission, including hire of passenger motor ve-
14 hicles, services as authorized by 5 U.S.C. 3109, but at
15 rates for individuals not to exceed the per diem rate equiv-
16 alent to the maximum rate payable under 5 U.S.C. 5376,
17 purchase of nominal awards to recognize non-Federal offi-
18 cials' contributions to Commission activities, and not to
19 exceed \$4,000 for official reception and representation ex-
20 penses, \$123,000,000.

21 ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT
22 SAFETY COMMISSION

23 SEC. 501. During fiscal year 2018, none of the
24 amounts made available by this Act may be used to final-
25 ize or implement the Safety Standard for Recreational

1 Off-Highway Vehicles published by the Consumer Product
2 Safety Commission in the Federal Register on November
3 19, 2014 (79 Fed. Reg. 68964) until after—

4 (1) the National Academy of Sciences, in con-
5 sultation with the National Highway Traffic Safety
6 Administration and the Department of Defense,
7 completes a study to determine—

8 (A) the technical validity of the lateral sta-
9 bility and vehicle handling requirements pro-
10 posed by such standard for purposes of reduc-
11 ing the risk of Recreational Off-Highway Vehi-
12 cle (referred to in this section as “ROV”) roll-
13 overs in the off-road environment, including the
14 repeatability and reproducibility of testing for
15 compliance with such requirements;

16 (B) the number of ROV rollovers that
17 would be prevented if the proposed require-
18 ments were adopted;

19 (C) whether there is a technical basis for
20 the proposal to provide information on a point-
21 of-sale hangtag about a ROV’s rollover resist-
22 ance on a progressive scale; and

23 (D) the effect on the utility of ROVs used
24 by the United States military if the proposed
25 requirements were adopted; and

1 (2) a report containing the results of the study
2 completed under paragraph (1) is delivered to—

3 (A) the Committee on Commerce, Science,
4 and Transportation of the Senate;

5 (B) the Committee on Energy and Com-
6 merce of the House of Representatives;

7 (C) the Committee on Appropriations of
8 the Senate; and

9 (D) the Committee on Appropriations of
10 the House of Representatives.

11 SEC. 502. None of the funds appropriated by this Act
12 may be used to finalize any rule by the Consumer Product
13 Safety Commission relating to blade-contact injuries on
14 table saws.

15 ELECTION ASSISTANCE COMMISSION

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses to carry out the Help Amer-
19 ica Vote Act of 2002 (Public Law 107–252; 52 U.S.C.
20 20901 et seq.), \$7,000,000, of which \$1,500,000 shall be
21 transferred to the National Institute of Standards and
22 Technology for election reform activities authorized under
23 such Act.

1 FEDERAL COMMUNICATIONS COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Communica-
4 tions Commission, as authorized by law, including uni-
5 forms and allowances therefor, as authorized by 5 U.S.C.
6 5901–5902; not to exceed \$4,000 for official reception and
7 representation expenses; purchase and hire of motor vehi-
8 cles; special counsel fees; and services as authorized by
9 5 U.S.C. 3109, \$322,035,000, to remain available until
10 expended: *Provided*, That \$322,035,000 of offsetting col-
11 lections shall be assessed and collected pursuant to section
12 9 of title I of the Communications Act of 1934, shall be
13 retained and used for necessary expenses and shall remain
14 available until expended: *Provided further*, That the sum
15 herein appropriated shall be reduced as such offsetting
16 collections are received during fiscal year 2018 so as to
17 result in a final fiscal year 2018 appropriation estimated
18 at \$0: *Provided further*, That any offsetting collections re-
19 ceived in excess of \$322,035,000 in fiscal year 2018 shall
20 not be available for obligation: *Provided further*, That re-
21 maining offsetting collections from prior years collected in
22 excess of the amount specified for collection in each such
23 year and otherwise becoming available on October 1, 2017,
24 shall not be available for obligation: *Provided further*,
25 That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds

1 from the use of a competitive bidding system that may
2 be retained and made available for obligation shall not ex-
3 ceed \$111,150,000 for fiscal year 2018: *Provided further*,
4 That, of the amount appropriated under this heading, not
5 less than \$11,020,000 shall be for the salaries and ex-
6 penses of the Office of Inspector General.

7 FEDERAL DEPOSIT INSURANCE CORPORATION

8 OFFICE OF THE INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General in carrying out the provisions of the Inspector
11 General Act of 1978, \$39,136,000, to be derived from the
12 Deposit Insurance Fund or, only when appropriate, the
13 FSLIC Resolution Fund.

14 FEDERAL ELECTION COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses to carry out the provisions
17 of the Federal Election Campaign Act of 1971,
18 \$71,250,000, of which not to exceed \$5,000 shall be avail-
19 able for reception and representation expenses.

20 FEDERAL LABOR RELATIONS AUTHORITY

21 SALARIES AND EXPENSES

22 For necessary expenses to carry out functions of the
23 Federal Labor Relations Authority, pursuant to Reorga-
24 nization Plan Numbered 2 of 1978, and the Civil Service
25 Reform Act of 1978, \$26,200,000, including services au-

1 thorized by 5 U.S.C. 3109, and including hire of experts
2 and consultants, hire of passenger motor vehicles, and
3 rental of conference rooms in the District of Columbia and
4 elsewhere; and of which not to exceed \$1,500 shall be
5 available for official reception and representation ex-
6 penses: *Provided*, That public members of the Federal
7 Service Impasses Panel may be paid travel expenses and
8 per diem in lieu of subsistence as authorized by law (5
9 U.S.C. 5703) for persons employed intermittently in the
10 Government service, and compensation as authorized by
11 5 U.S.C. 3109: *Provided further*, That, notwithstanding
12 31 U.S.C. 3302, funds received from fees charged to non-
13 Federal participants at labor-management relations con-
14 ferences shall be credited to and merged with this account,
15 to be available without further appropriation for the costs
16 of carrying out these conferences.

17 FEDERAL TRADE COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Trade Com-
20 mission, including uniforms or allowances therefor, as au-
21 thorized by 5 U.S.C. 5901–5902; services as authorized
22 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
23 not to exceed \$2,000 for official reception and representa-
24 tion expenses, \$306,317,000, to remain available until ex-
25 pended: *Provided*, That not to exceed \$300,000 shall be

1 available for use to contract with a person or persons for
2 collection services in accordance with the terms of 31
3 U.S.C. 3718: *Provided further*, That, notwithstanding any
4 other provision of law, not to exceed \$126,000,000 of off-
5 setting collections derived from fees collected for
6 premerger notification filings under the Hart-Scott-Ro-
7 dino Antitrust Improvements Act of 1976 (15 U.S.C.
8 18a), regardless of the year of collection, shall be retained
9 and used for necessary expenses in this appropriation:
10 *Provided further*, That, notwithstanding any other provi-
11 sion of law, not to exceed \$16,000,000 in offsetting collec-
12 tions derived from fees sufficient to implement and enforce
13 the Telemarketing Sales Rule, promulgated under the
14 Telemarketing and Consumer Fraud and Abuse Preven-
15 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
16 account, and be retained and used for necessary expenses
17 in this appropriation: *Provided further*, That the sum here-
18 in appropriated from the general fund shall be reduced
19 as such offsetting collections are received during fiscal
20 year 2018, so as to result in a final fiscal year 2018 appro-
21 priation from the general fund estimated at not more than
22 \$164,317,000: *Provided further*, That none of the funds
23 made available to the Federal Trade Commission may be
24 used to implement subsection (e)(2)(B) of section 43 of
25 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

1 GENERAL SERVICES ADMINISTRATION

2 REAL PROPERTY ACTIVITIES

3 FEDERAL BUILDINGS FUND

4 LIMITATIONS ON AVAILABILITY OF REVENUE

5 (INCLUDING TRANSFER OF FUNDS)

6 Amounts in the Fund, including revenues and collec-
7 tions deposited into the Fund, shall be available for nec-
8 essary expenses of real property management and related
9 activities not otherwise provided for, including operation,
10 maintenance, and protection of federally owned and leased
11 buildings; rental of buildings in the District of Columbia;
12 restoration of leased premises; moving governmental agen-
13 cies (including space adjustments and telecommunications
14 relocation expenses) in connection with the assignment, al-
15 location, and transfer of space; contractual services inci-
16 dent to cleaning or servicing buildings, and moving; repair
17 and alteration of federally owned buildings, including
18 grounds, approaches, and appurtenances; care and safe-
19 guarding of sites; maintenance, preservation, demolition,
20 and equipment; acquisition of buildings and sites by pur-
21 chase, condemnation, or as otherwise authorized by law;
22 acquisition of options to purchase buildings and sites; con-
23 version and extension of federally owned buildings; pre-
24 liminary planning and design of projects by contract or
25 otherwise; construction of new buildings (including equip-

1 ment for such buildings); and payment of principal, inter-
2 est, and any other obligations for public buildings acquired
3 by installment purchase and purchase contract; in the ag-
4 gregate amount of \$7,864,111,000, of which—

5 (1) \$0 shall remain available until expended for
6 construction and acquisition (including funds for
7 sites and expenses, and associated design and con-
8 struction services);

9 (2) \$180,000,000 shall remain available until
10 expended for repairs and alterations, including asso-
11 ciated design and construction services, of which—

12 (A) \$0 is for Major Repairs and Alter-
13 ations;

14 (B) \$110,000,000 is for Basic Repairs and
15 Alterations;

16 (C) \$70,000,000 is for Special Emphasis
17 Programs of which—

18 (i) \$20,000,000 is for Judiciary Cap-
19 ital Security;

20 (ii) \$30,000,000 is for Fire and Life
21 Safety; and

22 (iii) \$20,000,000 is for Consolidation
23 Activities: *Provided*, That consolidation
24 projects result in reduced annual rent paid
25 by the tenant agency: *Provided further*,

1 That no consolidation project exceed
2 \$10,000,000 in costs: *Provided further,*
3 That consolidation projects are approved
4 by each of the committees specified in sec-
5 tion 3307(a) of title 40, United States
6 Code: *Provided further,* That preference is
7 given to consolidation projects that achieve
8 a utilization rate of 130 usable square feet
9 or less per person for office space: *Pro-*
10 *vided further,* That the obligation of funds
11 under this paragraph for consolidation ac-
12 tivities may not be made until 10 days
13 after a proposed spending plan and expla-
14 nation for each project to be undertaken,
15 including estimated savings, has been sub-
16 mitted to the Committees on Appropria-
17 tions of the House of Representatives and
18 the Senate:

19 *Provided,* That funds made available in this or
20 any previous Act in the Federal Buildings Fund
21 for Repairs and Alterations shall, for pro-
22 spectus projects, be limited to the amount iden-
23 tified for each project, except each project in
24 this or any previous Act may be increased by an
25 amount not to exceed 10 percent unless advance

1 approval is obtained from the Committees on
2 Appropriations of a greater amount: *Provided*
3 *further*, That additional projects for which
4 prospectuses have been fully approved may be
5 funded under this category only if advance ap-
6 proval is obtained from the Committees on Ap-
7 propriations: *Provided further*, That the
8 amounts provided in this or any prior Act for
9 “Repairs and Alterations” may be used to fund
10 costs associated with implementing security im-
11 provements to buildings necessary to meet the
12 minimum standards for security in accordance
13 with current law and in compliance with the re-
14 programming guidelines of the appropriate
15 Committees of the House and Senate: *Provided*
16 *further*, That the difference between the funds
17 appropriated and expended on any projects in
18 this or any prior Act, under the heading “Re-
19 pairs and Alterations”, may be transferred to
20 Basic Repairs and Alterations or used to fund
21 authorized increases in prospectus projects:
22 *Provided further*, That the amount provided in
23 this or any prior Act for Basic Repairs and Al-
24 terations may be used to pay claims against the
25 Government arising from any projects under

1 the heading “Repairs and Alterations” or used
2 to fund authorized increases in prospectus
3 projects;

4 (3) \$5,462,345,000 for rental of space to re-
5 main available until expended; and

6 (4) \$2,221,766,000 for building operations to
7 remain available until expended, of which
8 \$1,146,089,000 is for building services, and
9 \$1,075,677,000 is for salaries and expenses: *Pro-*
10 *vided*, That not to exceed 5 percent of any appro-
11 priation made available under this paragraph for
12 building operations may be transferred between and
13 merged with such appropriations upon notification
14 to the Committees on Appropriations of the House
15 of Representatives and the Senate, but no such ap-
16 propriation shall be increased by more than 5 per-
17 cent by any such transfers: *Provided further*, That
18 section 521 of this title shall not apply with respect
19 to funds made available under this heading for
20 building operations: *Provided further*, That the total
21 amount of funds made available from this Fund to
22 the General Services Administration shall not be
23 available for expenses of any construction, repair, al-
24 teration and acquisition project for which a pro-
25 spectus, if required by 40 U.S.C. 3307(a), has not

1 been approved, except that necessary funds may be
2 expended for each project for required expenses for
3 the development of a proposed prospectus: *Provided*
4 *further*, That funds available in the Federal Build-
5 ings Fund may be expended for emergency repairs
6 when advance approval is obtained from the Com-
7 mittees on Appropriations: *Provided further*, That
8 amounts necessary to provide reimbursable special
9 services to other agencies under 40 U.S.C. 592(b)(2)
10 and amounts to provide such reimbursable fencing,
11 lighting, guard booths, and other facilities on private
12 or other property not in Government ownership or
13 control as may be appropriate to enable the United
14 States Secret Service to perform its protective func-
15 tions pursuant to 18 U.S.C. 3056, shall be available
16 from such revenues and collections: *Provided further*,
17 That revenues and collections and any other sums
18 accruing to this Fund during fiscal year 2018, ex-
19 cluding reimbursements under 40 U.S.C. 592(b)(2),
20 in excess of the aggregate new obligational authority
21 authorized for Real Property Activities of the Fed-
22 eral Buildings Fund in this Act shall remain in the
23 Fund and shall not be available for expenditure ex-
24 cept as authorized in appropriations Acts.

1 GENERAL ACTIVITIES

2 GOVERNMENT-WIDE POLICY

3 For expenses authorized by law, not otherwise pro-
4 vided for, for Government-wide policy and evaluation ac-
5 tivities associated with the management of real and per-
6 sonal property assets and certain administrative services;
7 Government-wide policy support responsibilities relating to
8 acquisition, travel, motor vehicles, information technology
9 management, and related technology activities; and serv-
10 ices as authorized by 5 U.S.C. 3109; \$53,499,000.

11 OPERATING EXPENSES

12 For expenses authorized by law, not otherwise pro-
13 vided for, for Government-wide activities associated with
14 utilization and donation of surplus personal property; dis-
15 posal of real property; agency-wide policy direction, man-
16 agement, and communications; and services as authorized
17 by 5 U.S.C. 3109; \$45,645,000, of which \$24,357,000 is
18 for Real and Personal Property Management and Dis-
19 posal; \$21,288,000 is for the Office of the Administrator,
20 of which not to exceed \$7,500 is for official reception and
21 representation expenses.

22 CIVILIAN BOARD OF CONTRACT APPEALS

23 For expenses authorized by law, not otherwise pro-
24 vided for, for the activities associated with the Civilian
25 Board of Contract Appeals, \$8,795,000.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General and service authorized by 5 U.S.C. 3109,
4 \$65,000,000: *Provided*, That not to exceed \$50,000 shall
5 be available for payment for information and detection of
6 fraud against the Government, including payment for re-
7 covery of stolen Government property: *Provided further*,
8 That not to exceed \$2,500 shall be available for awards
9 to employees of other Federal agencies and private citizens
10 in recognition of efforts and initiatives resulting in en-
11 hanced Office of Inspector General effectiveness.

12 ALLOWANCES AND OFFICE STAFF FOR FORMER
13 PRESIDENTS

14 For carrying out the provisions of the Act of August
15 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
16 \$4,754,000.

17 FEDERAL CITIZEN SERVICES FUND
18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Office of Products and
20 Programs, including services authorized by 40 U.S.C. 323
21 and 44 U.S.C. 3604; and for necessary expenses in sup-
22 port of interagency projects that enable the Federal Gov-
23 ernment to enhance its ability to conduct activities elec-
24 tronically, through the development and implementation of
25 innovative uses of information technology; \$53,741,000, to

1 be deposited into the Federal Citizen Services Fund: *Pro-*
2 *vided*, That the previous amount may be transferred to
3 Federal agencies to carry out the purpose of the Federal
4 Citizen Services Fund: *Provided further*, That the appro-
5 priations, revenues, reimbursements, and collections de-
6 posited into the Fund shall be available until expended for
7 necessary expenses of Federal Citizen Services and other
8 activities that enable the Federal Government to enhance
9 its ability to conduct activities electronically: in the aggre-
10 gate amount not to exceed \$100,000,000: *Provided fur-*
11 *ther*, That appropriations, revenues, reimbursements, and
12 collections accruing to this Fund during fiscal year 2018
13 in excess of such amount shall remain in the Fund and
14 shall not be available for expenditure except as authorized
15 in appropriations Acts: *Provided further*, That any appro-
16 priations provided to the Electronic Government Fund
17 that remain unobligated may be transferred to the Federal
18 Citizen Services Fund: *Provided further*, That the transfer
19 authorities provided herein shall be in addition to any
20 other transfer authority provided in this Act.

21 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

22 For carrying out the purposes of the Federal Assets
23 Sale and Transfer Act of 2016 (Public Law 114–287),
24 \$10,000,000, to be deposited into the Asset Proceeds and

1 Space Management Fund, to remain available until ex-
2 pended.

3 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

4 For necessary expenses of the Environmental Review
5 Improvement Fund established under section 41009(d) of
6 the Fixing America's Surface Transportation Act (42
7 U.S.C. 4370m-8(d)), \$1,000,000, to remain available
8 until expended.

9 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

10 ADMINISTRATION

11 (INCLUDING RESCISSION AND TRANSFER OF FUNDS)

12 SEC. 510. Funds available to the General Services
13 Administration shall be available for the hire of passenger
14 motor vehicles.

15 SEC. 511. Funds in the Federal Buildings Fund
16 made available for fiscal year 2018 for Federal Buildings
17 Fund activities may be transferred between such activities
18 only to the extent necessary to meet program require-
19 ments: *Provided*, That any proposed transfers shall be ap-
20 proved in advance by the Committees on Appropriations
21 of the House of Representatives and the Senate.

22 SEC. 512. Except as otherwise provided in this title,
23 funds made available by this Act shall be used to transmit
24 a fiscal year 2019 request for United States Courthouse
25 construction only if the request: (1) meets the design guide

1 standards for construction as established and approved by
2 the General Services Administration, the Judicial Con-
3 ference of the United States, and the Office of Manage-
4 ment and Budget; (2) reflects the priorities of the Judicial
5 Conference of the United States as set out in its approved
6 Courthouse Project Priorities plan; and (3) includes a
7 standardized courtroom utilization study of each facility
8 to be constructed, replaced, or expanded.

9 SEC. 513. None of the funds provided in this Act may
10 be used to increase the amount of occupiable square feet,
11 provide cleaning services, security enhancements, or any
12 other service usually provided through the Federal Build-
13 ings Fund, to any agency that does not pay the rate per
14 square foot assessment for space and services as deter-
15 mined by the General Services Administration in consider-
16 ation of the Public Buildings Amendments Act of 1972
17 (Public Law 92–313).

18 SEC. 514. From funds made available under the
19 heading “Federal Buildings Fund, Limitations on Avail-
20 ability of Revenue”, claims against the Government of less
21 than \$250,000 arising from direct construction projects
22 and acquisition of buildings may be liquidated from sav-
23 ings effected in other construction projects with prior noti-
24 fication to the Committees on Appropriations of the House
25 of Representatives and the Senate.

1 SEC. 515. In any case in which the Committee on
2 Transportation and Infrastructure of the House of Rep-
3 resentatives and the Committee on Environment and Pub-
4 lic Works of the Senate adopt a resolution granting lease
5 authority pursuant to a prospectus transmitted to Con-
6 gress by the Administrator of the General Services Admin-
7 istration under 40 U.S.C. 3307, the Administrator shall
8 ensure that the delineated area of procurement is identical
9 to the delineated area included in the prospectus for all
10 lease agreements, except that, if the Administrator deter-
11 mines that the delineated area of the procurement should
12 not be identical to the delineated area included in the pro-
13 spectus, the Administrator shall provide an explanatory
14 statement to each of such committees and the Committees
15 on Appropriations of the House of Representatives and the
16 Senate prior to exercising any lease authority provided in
17 the resolution.

18 SEC. 516. With respect to each project funded under
19 the heading “Major Repairs and Alterations” or “Judici-
20 ary Capital Security Program”, and with respect to E-
21 Government projects funded under the heading “Federal
22 Citizen Services Fund”, the Administrator of General
23 Services shall submit a spending plan and explanation for
24 each project to be undertaken to the Committees on Ap-
25 propriations of the House of Representatives and the Sen-

1 ate not later than 60 days after the date of enactment
2 of this Act.

3 SEC. 517. Section 16 of the Federal Assets Sale and
4 Transfer Act of 2016 (Public Law 114–287) is amend-
5 ed—

6 (1) by inserting the following at the end of sub-
7 paragraph (a)(1): “The Account shall be under the
8 custody and control of the Chairperson of the Board
9 and deposits in the Account shall remain available
10 until expended.”;

11 (2) by striking subparagraph (b)(1) and insert-
12 ing in lieu thereof the following: (1) “ESTABLISH-
13 MENT. — There is established in the Treasury of
14 the United States an account to be known as the
15 “Public Buildings Reform Board - Asset Proceeds
16 and Space Management Fund” (in this subsection
17 referred to as the “Fund”). The Fund shall be under
18 the custody and control of the Administrator of Gen-
19 eral Services and deposits in the Fund shall remain
20 available until expended.

21 SEC. 518. The unobligated balance of amounts pro-
22 vided for National Capital Region, FBI Headquarters
23 Consolidation, in paragraph (1)(A) under the heading
24 “General Services Administration—Federal Buildings
25 Fund” in division E of Public Law 115–31 is rescinded.

1 SEC. 519. The Administrator of General Services
2 shall make available to the public on the website of the
3 General Services Administration any draft environmental
4 assessment—

5 (1) prepared by the Administrator of General
6 Services under section 102(2)(C) of the National
7 Environmental Policy Act of 1969 (42 U.S.C.
8 4332(2)(C)); and

9 (2) for which the Administrator of General
10 Services has solicited public comment.

11 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

12 SALARIES AND EXPENSES

13 For payment to the Harry S Truman Scholarship
14 Foundation Trust Fund, established by section 10 of Pub-
15 lic Law 93–642, \$1,000,000, to remain available until ex-
16 pended.

17 MERIT SYSTEMS PROTECTION BOARD

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses to carry out functions of the
21 Merit Systems Protection Board pursuant to Reorganiza-
22 tion Plan Numbered 2 of 1978, the Civil Service Reform
23 Act of 1978, and the Whistleblower Protection Act of
24 1989 (5 U.S.C. 5509 note), including services as author-
25 ized by 5 U.S.C. 3109, rental of conference rooms in the

1 District of Columbia and elsewhere, hire of passenger
2 motor vehicles, direct procurement of survey printing, and
3 not to exceed \$2,000 for official reception and representa-
4 tion expenses, \$44,490,000, to remain available until Sep-
5 tember 30, 2019, and in addition not to exceed
6 \$2,345,000, to remain available until September 30, 2019,
7 for administrative expenses to adjudicate retirement ap-
8 peals to be transferred from the Civil Service Retirement
9 and Disability Fund in amounts determined by the Merit
10 Systems Protection Board.

11 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

12 OPERATING EXPENSES

13 For necessary expenses in connection with the admin-
14 istration of the National Archives and Records Adminis-
15 tration and archived Federal records and related activities,
16 as provided by law, and for expenses necessary for the re-
17 view and declassification of documents, the activities of
18 the Public Interest Declassification Board, the operations
19 and maintenance of the electronic records archives, the
20 hire of passenger motor vehicles, and for uniforms or al-
21 lowances therefor, as authorized by law (5 U.S.C. 5901),
22 including maintenance, repairs, and cleaning,
23 \$364,308,000.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Reform Act of 2008, Public Law 110–409, 122
5 Stat. 4302–16 (2008), and the Inspector General Act of
6 1978 (5 U.S.C. App.), and for the hire of passenger motor
7 vehicles, \$4,241,000.

8 REPAIRS AND RESTORATION

9 For the repair, alteration, and improvement of ar-
10 chives facilities, and to provide adequate storage for hold-
11 ings, \$7,500,000, to remain available until expended.

12 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

13 COMMISSION

14 GRANTS PROGRAM

15 For necessary expenses for allocations and grants for
16 historical publications and records as authorized by 44
17 U.S.C. 2504, \$4,000,000, to remain available until ex-
18 pended.

19 NATIONAL CREDIT UNION ADMINISTRATION

20 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

21 For the Community Development Revolving Loan
22 Fund program as authorized by 42 U.S.C. 9812, 9822
23 and 9910, \$2,000,000 shall be available until September
24 30, 2019, for technical assistance to low-income des-
25 ignated credit unions.

1 OFFICE OF GOVERNMENT ETHICS

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Government Ethics pursuant to the Ethics in
5 Government Act of 1978, the Ethics Reform Act of 1989,
6 and the Stop Trading on Congressional Knowledge Act of
7 2012, including services as authorized by 5 U.S.C. 3109,
8 rental of conference rooms in the District of Columbia and
9 elsewhere, hire of passenger motor vehicles, and not to ex-
10 ceed \$1,500 for official reception and representation ex-
11 penses, \$16,439,000.

12 OFFICE OF PERSONNEL MANAGEMENT

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF TRUST FUNDS)

15 For necessary expenses to carry out functions of the
16 Office of Personnel Management (OPM) pursuant to Re-
17 organization Plan Numbered 2 of 1978 and the Civil Serv-
18 ice Reform Act of 1978, including services as authorized
19 by 5 U.S.C. 3109; medical examinations performed for
20 veterans by private physicians on a fee basis; rental of con-
21 ference rooms in the District of Columbia and elsewhere;
22 hire of passenger motor vehicles; not to exceed \$2,500 for
23 official reception and representation expenses; advances
24 for reimbursements to applicable funds of OPM and the
25 Federal Bureau of Investigation for expenses incurred

1 under Executive Order No. 10422 of January 9, 1953,
2 as amended; and payment of per diem or subsistence al-
3 lowances to employees where Voting Rights Act activities
4 require an employee to remain overnight at his or her post
5 of duty, \$129,341,000: *Provided*, That of the total amount
6 made available under this heading, \$18,000,000 shall re-
7 main available until expended for information technology
8 infrastructure modernization and Trust Fund Federal Fi-
9 nancial System migration or modernization: *Provided fur-*
10 *ther*, That the amount made available by the previous pro-
11 viso may not be obligated until the Director of the Office
12 of Personnel Management submits to the Committees on
13 Appropriations of the Senate and the House of Represent-
14 atives a plan for expenditure of such amount, prepared
15 in consultation with the Director of the Office of Manage-
16 ment and Budget, the Administrator of the United States
17 Digital Service, and the Secretary of Homeland Security,
18 that—

19 (1) identifies the full scope and cost of the IT
20 systems remediation and stabilization project;

21 (2) meets the capital planning and investment
22 control review requirements established by the Office
23 of Management and Budget, including Circular A–
24 11;

1 (3) includes a Major IT Business Case under
2 the requirements established by the Office of Man-
3 agement and Budget Exhibit 300;

4 (4) complies with the acquisition rules, require-
5 ments, guidelines, and systems acquisition manage-
6 ment practices of the Government;

7 (5) complies with all Office of Management and
8 Budget, Department of Homeland Security and Na-
9 tional Institute of Standards and Technology re-
10 quirements related to securing the agency's informa-
11 tion system as described in 44 U.S.C. 3554; and

12 (6) is reviewed and commented upon within 90
13 days of plan development by the Inspector General
14 of the Office of Personnel Management, and such
15 comments are submitted to the Director of the Of-
16 fice of Personnel Management before the date of
17 such submission:

18 *Provided further*, That, not later than 6 months after the
19 date of enactment of this Act, the Comptroller General
20 shall submit to the Committees on Appropriations of the
21 Senate and the House of Representatives a report that—

22

23 (A) evaluates—

24 (i) the steps taken by the Office of
25 Personnel Management to prevent, miti-

1 gate, and respond to data breaches involv-
2 ing sensitive personnel records and infor-
3 mation;

4 (ii) the Office's cybersecurity policies
5 and procedures in place on the date of en-
6 actment of this Act, including policies and
7 procedures relating to IT best practices
8 such as data encryption, multifactor au-
9 thentication, and continuous monitoring;

10 (iii) the Office's oversight of contrac-
11 tors providing IT services; and

12 (iv) the Office's compliance with gov-
13 ernment-wide initiatives to improve
14 cybersecurity; and

15 (B) sets forth improvements that could be
16 made to assist the Office of Personnel Manage-
17 ment in addressing cybersecurity challenges:

18 *Provided further*, That of the total amount made available
19 under this heading, \$584,000 may be made available for
20 strengthening the capacity and capabilities of the acquisi-
21 tion workforce (as defined by the Office of Federal Pro-
22 curement Policy Act, as amended (41 U.S.C. 4001 et
23 seq.)), including the recruitment, hiring, training, and re-
24 tention of such workforce and information technology in
25 support of acquisition workforce effectiveness or for man-

1 agement solutions to improve acquisition management;
2 and in addition \$131,414,000 for administrative expenses,
3 to be transferred from the appropriate trust funds of OPM
4 without regard to other statutes, including direct procure-
5 ment of printed materials, for the retirement and insur-
6 ance programs: *Provided further*, That the provisions of
7 this appropriation shall not affect the authority to use ap-
8 plicable trust funds as provided by sections 8348(a)(1)(B),
9 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title
10 5, United States Code: *Provided further*, That no part of
11 this appropriation shall be available for salaries and ex-
12 penses of the Legal Examining Unit of OPM established
13 pursuant to Executive Order No. 9358 of July 1, 1943,
14 or any successor unit of like purpose: *Provided further*,
15 That the President's Commission on White House Fel-
16 lows, established by Executive Order No. 11183 of Octo-
17 ber 3, 1964, may, during fiscal year 2018, accept dona-
18 tions of money, property, and personal services: *Provided*
19 *further*, That such donations, including those from prior
20 years, may be used for the development of publicity mate-
21 rials to provide information about the White House Fel-
22 lows, except that no such donations shall be accepted for
23 travel or reimbursement of travel expenses, or for the sala-
24 ries of employees of such Commission.

1 OFFICE OF INSPECTOR GENERAL
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, including services as authorized by
7 5 U.S.C. 3109, hire of passenger motor vehicles,
8 \$5,000,000, and in addition, not to exceed \$25,000,000
9 for administrative expenses to audit, investigate, and pro-
10 vide other oversight of the Office of Personnel Manage-
11 ment's retirement and insurance programs, to be trans-
12 ferred from the appropriate trust funds of the Office of
13 Personnel Management, as determined by the Inspector
14 General: *Provided*, That the Inspector General is author-
15 ized to rent conference rooms in the District of Columbia
16 and elsewhere.

17 OFFICE OF SPECIAL COUNSEL
18 SALARIES AND EXPENSES

19 For necessary expenses to carry out functions of the
20 Office of Special Counsel pursuant to Reorganization Plan
21 Numbered 2 of 1978, the Civil Service Reform Act of
22 1978 (Public Law 95–454), the Whistleblower Protection
23 Act of 1989 (Public Law 101–12) as amended by Public
24 Law 107–304, the Whistleblower Protection Enhancement
25 Act of 2012 (Public Law 112–199), and the Uniformed

1 Services Employment and Reemployment Rights Act of
2 1994 (Public Law 103–353), including services as author-
3 ized by 5 U.S.C. 3109, payment of fees and expenses for
4 witnesses, rental of conference rooms in the District of Co-
5 lumbia and elsewhere, and hire of passenger motor vehi-
6 cles; \$24,750,000.

7 POSTAL REGULATORY COMMISSION

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Postal Regulatory
11 Commission in carrying out the provisions of the Postal
12 Accountability and Enhancement Act (Public Law 109–
13 435), \$15,200,000, to be derived by transfer from the
14 Postal Service Fund and expended as authorized by sec-
15 tion 603(a) of such Act.

16 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

17 SALARIES AND EXPENSES

18 For necessary expenses of the Privacy and Civil Lib-
19 erties Oversight Board, as authorized by section 1061 of
20 the Intelligence Reform and Terrorism Prevention Act of
21 2004 (42 U.S.C. 2000ee), \$8,000,000, to remain available
22 until September 30, 2019.

1 PUBLIC BUILDINGS REFORM BOARD

2 SALARIES AND EXPENSES

3 For salaries and expenses of the Public Buildings Re-
4 form Board in carrying out the Federal Assets Sale and
5 Transfer Act of 2016 (Public Law 114–287), \$5,000,000,
6 to remain available until expended.

7 SECURITIES AND EXCHANGE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses for the Securities and Ex-
10 change Commission, including services as authorized by
11 5 U.S.C. 3109, the rental of space (to include multiple
12 year leases) in the District of Columbia and elsewhere, and
13 not to exceed \$3,500 for official reception and representa-
14 tion expenses, \$1,652,000,000 to remain available until
15 expended; of which funding for information technology ini-
16 tiatives shall be increased over the fiscal year 2017 level
17 by not less than \$50,000,000; of which not less than
18 \$14,748,358 shall be for the Office of Inspector General;
19 of which not to exceed \$75,000 shall be available for a
20 permanent secretariat for the International Organization
21 of Securities Commissions; of which not to exceed
22 \$100,000 shall be available for expenses for consultations
23 and meetings hosted by the Commission with foreign gov-
24 ernmental and other regulatory officials, members of their
25 delegations and staffs to exchange views concerning secu-

1 rities matters, such expenses to include necessary logistic
2 and administrative expenses and the expenses of Commis-
3 sion staff and foreign invitees in attendance including: (1)
4 incidental expenses such as meals; (2) travel and transpor-
5 tation; and (3) related lodging or subsistence; and of
6 which not less than \$68,950,000 shall be for the Division
7 of Economic and Risk Analysis: In addition, for costs as-
8 sociated with relocation under a replacement lease for the
9 Commission's headquarters facilities, not to exceed
10 \$244,507,000, to remain available until September 30,
11 2019. For purposes of calculating the fee rate under sec-
12 tion 31(j) of the Securities Exchange Act of 1934 (15
13 U.S.C. 78ee(j)) for fiscal year 2018, all amounts appro-
14 priated under this heading shall be deemed to be the reg-
15 ular appropriation to the Commission for fiscal year 2018.
16 *Provided*, That fees and charges authorized by section 31
17 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
18 shall be credited to this account as offsetting collections:
19 *Provided further*, That not to exceed \$1,652,000,000 of
20 such offsetting collections shall be available until expended
21 for necessary expenses of this account and not to exceed
22 \$244,507,000 of such offsetting collections shall be avail-
23 able until September 30, 2019, for costs under this head-
24 ing associated with relocation under a replacement lease
25 for the Commission's headquarters facilities: *Provided fur-*

1 *ther*, That the total amount appropriated under this head-
2 ing from the general fund for fiscal year 2018 shall be
3 reduced as such offsetting fees are received so as to result
4 in a final total fiscal year 2018 appropriation from the
5 general fund estimated at not more than \$0: *Provided fur-*
6 *ther*, That if any amount of the appropriation under this
7 heading for costs associated with relocation under a re-
8 placement lease for the Commission's headquarters facili-
9 ties is subsequently de-obligated on or before September
10 30, 2019, any such amount derived from the general fund
11 shall be returned to the general fund, and any such
12 amount derived from fees or assessments collected for
13 such purpose shall be paid to each national securities ex-
14 change and national securities association, respectively, in
15 proportion to any fees or assessments paid by such na-
16 tional securities exchange or national securities association
17 under such section 31 in fiscal year 2018.

18 SELECTIVE SERVICE SYSTEM

19 SALARIES AND EXPENSES

20 For necessary expenses of the Selective Service Sys-
21 tem, including expenses of attendance at meetings and of
22 training for uniformed personnel assigned to the Selective
23 Service System, as authorized by 5 U.S.C. 4101–4118 for
24 civilian employees; hire of passenger motor vehicles; serv-
25 ices as authorized by 5 U.S.C. 3109; and not to exceed

1 \$750 for official reception and representation expenses;
2 \$22,900,000: *Provided*, That during the current fiscal
3 year, the President may exempt this appropriation from
4 the provisions of 31 U.S.C. 1341, whenever the President
5 deems such action to be necessary in the interest of na-
6 tional defense: *Provided further*, That none of the funds
7 appropriated by this Act may be expended for or in con-
8 nection with the induction of any person into the Armed
9 Forces of the United States.

10 SMALL BUSINESS ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses, not otherwise provided for,
13 of the Small Business Administration, including hire of
14 passenger motor vehicles as authorized by sections 1343
15 and 1344 of title 31, United States Code, and not to ex-
16 ceed \$3,500 for official reception and representation ex-
17 penses, \$265,000,000 of which not less than \$12,000,000
18 shall be available for examinations, reviews, and other
19 lender oversight activities: *Provided*, That the Adminis-
20 trator is authorized to charge fees to cover the cost of pub-
21 lications developed by the Small Business Administration,
22 and certain loan program activities, including fees author-
23 ized by section 5(b) of the Small Business Act: *Provided*
24 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
25 received from all such activities shall be credited to this

1 account, to remain available until expended, for carrying
2 out these purposes without further appropriations: *Pro-*
3 *vided further*, That the Small Business Administration
4 may accept gifts in an amount not to exceed \$4,000,000
5 and may co-sponsor activities, each in accordance with sec-
6 tion 132(a) of division K of Public Law 108–447, during
7 fiscal year 2018 : *Provided further*, That \$6,100,000 shall
8 be available for the Loan Modernization and Accounting
9 System, to be available until September 30, 2019.

10 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

11 For necessary expenses of programs supporting en-
12 trepreneurial and small business development,
13 \$211,100,000, to remain available until September 30,
14 2019 : *Provided*, That \$120,000,000 shall be available to
15 fund grants for performance in fiscal year 2018 or fiscal
16 year 2019 as authorized by section 21 of the Small Busi-
17 ness Act: *Provided further*, That \$31,000,000 shall be for
18 marketing, management, and technical assistance under
19 section 7(m) of the Small Business Act (15 U.S.C.
20 636(m)(4)) by intermediaries that make microloans under
21 the microloan program: *Provided further*, That
22 \$10,000,000 shall be available for grants to States to
23 carry out export programs that assist small business con-
24 cerns authorized under section 22(l) of the Small Business
25 Act (15 U.S.C. 649(l)).

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$19,900,000.

5 OFFICE OF ADVOCACY

6 For necessary expenses of the Office of Advocacy in
7 carrying out the provisions of title II of Public Law 94–
8 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
9 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
10 remain available until expended.

11 BUSINESS LOANS PROGRAM ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of direct loans, \$3,438,172, to remain
14 available until expended: *Provided*, That such costs, in-
15 cluding the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974: *Provided further*, That subject to section 502 of the
18 Congressional Budget Act of 1974, during fiscal year
19 2018 commitments to guarantee loans under section 503
20 of the Small Business Investment Act of 1958 shall not
21 exceed \$7,500,000,000: *Provided further*, That during fis-
22 cal year 2018 commitments for general business loans au-
23 thorized under section 7(a) of the Small Business Act
24 shall not exceed \$29,000,000,000 for a combination of
25 amortizing term loans and the aggregated maximum line

1 of credit provided by revolving loans: *Provided further,*
2 That during fiscal year 2018 commitments for loans au-
3 thorized under subparagraph (C) of section 502(7) of The
4 Small Business Investment Act of 1958 (15 U.S.C.
5 696(7)) shall not exceed \$7,500,000,000: *Provided further,*
6 That during fiscal year 2018 commitments to guarantee
7 loans for debentures under section 303(b) of the Small
8 Business Investment Act of 1958 shall not exceed
9 \$4,000,000,000: *Provided further,* That during fiscal year
10 2018, guarantees of trust certificates authorized by sec-
11 tion 5(g) of the Small Business Act shall not exceed a
12 principal amount of \$12,000,000,000. In addition, for ad-
13 ministrative expenses to carry out the direct and guaran-
14 teed loan programs, \$152,782,000, which may be trans-
15 ferred to and merged with the appropriations for Salaries
16 and Expenses.

17 DISASTER LOANS PROGRAM ACCOUNT
18 (INCLUDING TRANSFERS OF FUNDS)

19 For administrative expenses to carry out the direct
20 loan program authorized by section 7(b) of the Small
21 Business Act, \$186,458,000, to be available until ex-
22 pended, of which \$1,000,000 is for the Office of Inspector
23 General of the Small Business Administration for audits
24 and reviews of disaster loans and the disaster loan pro-
25 grams and shall be transferred to and merged with the

1 appropriations for the Office of Inspector General; of
2 which \$176,458,000 is for direct administrative expenses
3 of loan making and servicing to carry out the direct loan
4 program, which may be transferred to and merged with
5 the appropriations for Salaries and Expenses; and of
6 which \$9,000,000 is for indirect administrative expenses
7 for the direct loan program, which may be transferred to
8 and merged with the appropriations for Salaries and Ex-
9 penses.

10 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

11 ADMINISTRATION

12 (INCLUDING RESCISSION AND TRANSFER OF FUNDS)

13 SEC. 520. Not to exceed 5 percent of any appropria-
14 tion made available for the current fiscal year for the
15 Small Business Administration in this Act may be trans-
16 ferred between such appropriations, but no such appro-
17 priation shall be increased by more than 10 percent by
18 any such transfers: *Provided*, That any transfer pursuant
19 to this paragraph shall be treated as a reprogramming of
20 funds under section 608 of this Act and shall not be avail-
21 able for obligation or expenditure except in compliance
22 with the procedures set forth in that section.

23 SEC. 521. Of the unobligated balances available for
24 the Immediate Disaster Assistance Program authorized by
25 section 42 of the Small Business Act (15 U.S.C. 657n)

1 and the Expedited Disaster Assistance Loan Program au-
2 thorized by section 12085 of Public Law 110–246,
3 \$2,600,000 are hereby permanently rescinded: *Provided*,
4 That no amounts may be rescinded from amounts that
5 were designated by the Congress as emergency require-
6 ments pursuant to a concurrent resolution on the budget
7 or the Balanced Budget and Emergency Deficit Control
8 Act of 1985: *Provided further*, That no amounts may be
9 rescinded from amounts that were designated by the Con-
10 gress as being for disaster relief pursuant to section
11 251(b)(2)(D) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 SEC. 522. Section 7(m)(4)(E) of the Small Business
14 Act (15 U.S.C. 636(m)(4)(E)) is amended by striking “25
15 percent” each place such term appears and inserting “50
16 percent”.

17 UNITED STATES POSTAL SERVICE

18 PAYMENT TO THE POSTAL SERVICE FUND

19 For payment to the Postal Service Fund for revenue
20 forgone on free and reduced rate mail, pursuant to sub-
21 sections (c) and (d) of section 2401 of title 39, United
22 States Code, \$58,118,000: *Provided*, That mail for over-
23 seas voting and mail for the blind shall continue to be free:
24 *Provided further*, That 6-day delivery and rural delivery
25 of mail shall continue at not less than the 1983 level: *Pro-*

1 *vided further*, That none of the funds made available to
2 the Postal Service by this Act shall be used to implement
3 any rule, regulation, or policy of charging any officer or
4 employee of any State or local child support enforcement
5 agency, or any individual participating in a State or local
6 program of child support enforcement, a fee for informa-
7 tion requested or provided concerning an address of a
8 postal customer: *Provided further*, That none of the funds
9 provided in this Act shall be used to consolidate or close
10 small rural and other small post offices.

11 OFFICE OF INSPECTOR GENERAL

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, \$234,650,000, to be derived by
17 transfer from the Postal Service Fund and expended as
18 authorized by section 603(b)(3) of the Postal Account-
19 ability and Enhancement Act (Public Law 109–435).

20 UNITED STATES TAX COURT

21 SALARIES AND EXPENSES

22 For necessary expenses, including contract reporting
23 and other services as authorized by 5 U.S.C. 3109,
24 \$51,100,000, of which \$500,000 shall remain available
25 until expended: *Provided*, That travel expenses of the

1 judges shall be paid upon the written certificate of the
2 judge.

1 TITLE VI
2 GENERAL PROVISIONS—THIS ACT
3 (INCLUDING RESCISSION)

4 SEC. 601. None of the funds in this Act shall be used
5 for the planning or execution of any program to pay the
6 expenses of, or otherwise compensate, non-Federal parties
7 intervening in regulatory or adjudicatory proceedings
8 funded in this Act.

9 SEC. 602. None of the funds appropriated in this Act
10 shall remain available for obligation beyond the current
11 fiscal year, nor may any be transferred to other appropria-
12 tions, unless expressly so provided herein.

13 SEC. 603. The expenditure of any appropriation
14 under this Act for any consulting service through procure-
15 ment contract pursuant to 5 U.S.C. 3109, shall be limited
16 to those contracts where such expenditures are a matter
17 of public record and available for public inspection, except
18 where otherwise provided under existing law, or under ex-
19 isting Executive order issued pursuant to existing law.

20 SEC. 604. None of the funds made available in this
21 Act may be transferred to any department, agency, or in-
22 strumentality of the United States Government, except
23 pursuant to a transfer made by, or transfer authority pro-
24 vided in, this Act or any other appropriations Act.

1 SEC. 605. None of the funds made available by this
2 Act shall be available for any activity or for paying the
3 salary of any Government employee where funding an ac-
4 tivity or paying a salary to a Government employee would
5 result in a decision, determination, rule, regulation, or pol-
6 icy that would prohibit the enforcement of section 307 of
7 the Tariff Act of 1930 (19 U.S.C. 1307).

8 SEC. 606. No funds appropriated pursuant to this
9 Act may be expended by an entity unless the entity agrees
10 that in expending the assistance the entity will comply
11 with chapter 83 of title 41, United States Code.

12 SEC. 607. No funds appropriated or otherwise made
13 available under this Act shall be made available to any
14 person or entity that has been convicted of violating chap-
15 ter 83 of title 41, United States Code.

16 SEC. 608. Except as otherwise provided in this Act,
17 none of the funds provided in this Act, provided by pre-
18 vious appropriations Acts to the agencies or entities fund-
19 ed in this Act that remain available for obligation or ex-
20 penditure in fiscal year 2018, or provided from any ac-
21 counts in the Treasury derived by the collection of fees
22 and available to the agencies funded by this Act, shall be
23 available for obligation or expenditure through a re-
24 programming of funds that: (1) creates a new program;
25 (2) eliminates a program, project, or activity; (3) increases

1 funds or personnel for any program, project, or activity
2 for which funds have been denied or restricted by the Con-
3 gress; (4) proposes to use funds directed for a specific ac-
4 tivity by the Committee on Appropriations of either the
5 House of Representatives or the Senate for a different
6 purpose; (5) augments existing programs, projects, or ac-
7 tivities in excess of \$5,000,000 or 10 percent, whichever
8 is less; (6) reduces existing programs, projects, or activi-
9 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
10 creates or reorganizes offices, programs, or activities un-
11 less prior approval is received from the Committees on Ap-
12 propriations of the House of Representatives and the Sen-
13 ate: *Provided*, That prior to any significant reorganization
14 or restructuring of offices, programs, or activities, each
15 agency or entity funded in this Act shall consult with the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate: *Provided further*, That not later
18 than 60 days after the date of enactment of this Act, each
19 agency funded by this Act shall submit a report to the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate to establish the baseline for applica-
22 tion of reprogramming and transfer authorities for the
23 current fiscal year: *Provided further*, That at a minimum
24 the report shall include: (1) a table for each appropriation
25 with a separate column to display the President's budget

1 request, adjustments made by Congress, adjustments due
2 to enacted rescissions, if appropriate, and the fiscal year
3 enacted level; (2) a delineation in the table for each appro-
4 priation both by object class and program, project, and
5 activity as detailed in the budget appendix for the respec-
6 tive appropriation; and (3) an identification of items of
7 special congressional interest: *Provided further*, That the
8 amount appropriated or limited for salaries and expenses
9 for an agency shall be reduced by \$100,000 per day for
10 each day after the required date that the report has not
11 been submitted to the Congress.

12 SEC. 609. Except as otherwise specifically provided
13 by law, not to exceed 50 percent of unobligated balances
14 remaining available at the end of fiscal year 2018 from
15 appropriations made available for salaries and expenses
16 for fiscal year 2018 in this Act, shall remain available
17 through September 30, 2019, for each such account for
18 the purposes authorized: *Provided*, That a request shall
19 be submitted to the Committees on Appropriations of the
20 House of Representatives and the Senate for approval
21 prior to the expenditure of such funds: *Provided further*,
22 That these requests shall be made in compliance with re-
23 programming guidelines.

1 SEC. 610. (a) None of the funds made available in
2 this Act may be used by the Executive Office of the Presi-
3 dent to request—

4 (1) any official background investigation report
5 on any individual from the Federal Bureau of Inves-
6 tigation; or

7 (2) a determination with respect to the treat-
8 ment of an organization as described in section
9 501(c) of the Internal Revenue Code of 1986 and
10 exempt from taxation under section 501(a) of such
11 Code from the Department of the Treasury or the
12 Internal Revenue Service.

13 (b) Subsection (a) shall not apply—

14 (1) in the case of an official background inves-
15 tigation report, if such individual has given express
16 written consent for such request not more than 6
17 months prior to the date of such request and during
18 the same presidential administration; or

19 (2) if such request is required due to extraor-
20 dinary circumstances involving national security.

21 SEC. 611. The cost accounting standards promul-
22 gated under chapter 15 of title 41, United States Code
23 shall not apply with respect to a contract under the Fed-
24 eral Employees Health Benefits Program established
25 under chapter 89 of title 5, United States Code.

1 SEC. 612. For the purpose of resolving litigation and
2 implementing any settlement agreements regarding the
3 nonforeign area cost-of-living allowance program, the Of-
4 fice of Personnel Management may accept and utilize
5 (without regard to any restriction on unanticipated travel
6 expenses imposed in an Appropriations Act) funds made
7 available to the Office of Personnel Management pursuant
8 to court approval.

9 SEC. 613. No funds appropriated by this Act shall
10 be available to pay for an abortion, or the administrative
11 expenses in connection with any health plan under the
12 Federal employees health benefits program which provides
13 any benefits or coverage for abortions.

14 SEC. 614. The provision of section 613 shall not
15 apply where the life of the mother would be endangered
16 if the fetus were carried to term, or the pregnancy is the
17 result of an act of rape or incest.

18 SEC. 615. In order to promote Government access to
19 commercial information technology, the restriction on pur-
20 chasing nondomestic articles, materials, and supplies set
21 forth in chapter 83 of title 41, United States Code (popu-
22 larly known as the Buy American Act), shall not apply
23 to the acquisition by the Federal Government of informa-
24 tion technology (as defined in section 11101 of title 40,

1 United States Code), that is a commercial item (as defined
2 in section 103 of title 41, United States Code).

3 SEC. 616. Notwithstanding section 1353 of title 31,
4 United States Code, no officer or employee of any regu-
5 latory agency or commission funded by this Act may ac-
6 cept on behalf of that agency, nor may such agency or
7 commission accept, payment or reimbursement from a
8 non-Federal entity for travel, subsistence, or related ex-
9 penses for the purpose of enabling an officer or employee
10 to attend and participate in any meeting or similar func-
11 tion relating to the official duties of the officer or em-
12 ployee when the entity offering payment or reimbursement
13 is a person or entity subject to regulation by such agency
14 or commission, or represents a person or entity subject
15 to regulation by such agency or commission, unless the
16 person or entity is an organization described in section
17 501(c)(3) of the Internal Revenue Code of 1986 and ex-
18 empt from tax under section 501(a) of such Code.

19 SEC. 617. Notwithstanding section 708 of this Act,
20 funds made available to the Commodity Futures Trading
21 Commission and the Securities and Exchange Commission
22 by this or any other Act may be used for the interagency
23 funding and sponsorship of a joint advisory committee to
24 advise on emerging regulatory issues.

1 SEC. 618. (a)(1) Notwithstanding any other provision
2 of law, an Executive agency covered by this Act otherwise
3 authorized to enter into contracts for either leases or the
4 construction or alteration of real property for office, meet-
5 ing, storage, or other space must consult with the General
6 Services Administration before issuing a solicitation for of-
7 fers of new leases or construction contracts, and in the
8 case of succeeding leases, before entering into negotiations
9 with the current lessor.

10 (2) Any such agency with authority to enter into an
11 emergency lease may do so during any period declared by
12 the President to require emergency leasing authority with
13 respect to such agency.

14 (b) For purposes of this section, the term “Executive
15 agency covered by this Act” means any Executive agency
16 provided funds by this Act, but does not include the Gen-
17 eral Services Administration or the United States Postal
18 Service.

19 SEC. 619. (a) There are appropriated for the fol-
20 lowing activities the amounts required under current law:

21 (1) Compensation of the President (3 U.S.C.
22 102).

23 (2) Payments to—

24 (A) the Judicial Officers’ Retirement Fund

25 (28 U.S.C. 377(o));

1 (B) the Judicial Survivors' Annuities Fund
2 (28 U.S.C. 376(c)); and

3 (C) the United States Court of Federal
4 Claims Judges' Retirement Fund (28 U.S.C.
5 178(l)).

6 (3) Payment of Government contributions—

7 (A) with respect to the health benefits of
8 retired employees, as authorized by chapter 89
9 of title 5, United States Code, and the Retired
10 Federal Employees Health Benefits Act (74
11 Stat. 849); and

12 (B) with respect to the life insurance bene-
13 fits for employees retiring after December 31,
14 1989 (5 U.S.C. ch. 87).

15 (4) Payment to finance the unfunded liability of
16 new and increased annuity benefits under the Civil
17 Service Retirement and Disability Fund (5 U.S.C.
18 8348).

19 (5) Payment of annuities authorized to be paid
20 from the Civil Service Retirement and Disability
21 Fund by statutory provisions other than subchapter
22 III of chapter 83 or chapter 84 of title 5, United
23 States Code.

24 (b) Nothing in this section may be construed to ex-
25 empt any amount appropriated by this section from any

1 otherwise applicable limitation on the use of funds con-
2 tained in this Act.

3 SEC. 620. In fiscal year 2018 and any fiscal year
4 thereafter, none of the funds made available in this or any
5 other Act may be used by the Federal Trade Commission
6 to complete or publish the study, recommendations, or re-
7 port prepared by the Interagency Working Group on Food
8 Marketed to Children pursuant to the directive described
9 on pages 983 and 984 of the House Appropriations Com-
10 mittee Print of the explanatory statement accompanying
11 the Omnibus Appropriations Act, 2009 (Public Law 111–
12 8).

13 SEC. 621. None of the funds in this Act may be used
14 for the Director of the Office of Personnel Management
15 to award a contract, enter an extension of, or exercise an
16 option on a contract to a contractor conducting the final
17 quality review processes for background investigation
18 fieldwork services or background investigation support
19 services that, as of the date of the award of the contract,
20 are being conducted by that contractor.

21 SEC. 622. (a) The head of each executive branch
22 agency funded by this Act shall ensure that the Chief In-
23 formation Officer of the agency has the authority to par-
24 ticipate in decisions regarding the budget planning process
25 related to information technology.

1 (b) Amounts appropriated for any executive branch
2 agency funded by this Act that are available for informa-
3 tion technology shall be allocated within the agency, con-
4 sistent with the provisions of appropriations Acts and
5 budget guidelines and recommendations from the Director
6 of the Office of Management and Budget, in such manner
7 as specified by, or approved by, the Chief Information Of-
8 ficer of the agency in consultation with the Chief Financial
9 Officer of the agency and budget officials.

10 SEC. 623. None of the funds made available in this
11 Act may be used in contravention of chapter 29, 31, or
12 33 of title 44, United States Code.

13 SEC. 624. None of the funds made available in this
14 Act may be used by a governmental entity to require the
15 disclosure by a provider of electronic communication serv-
16 ice to the public or remote computing service of the con-
17 tents of a wire or electronic communication that is in elec-
18 tronic storage with the provider (as such terms are defined
19 in sections 2510 and 2711 of title 18, United States Code)
20 in a manner that violates the Fourth Amendment to the
21 Constitution of the United States.

22 SEC. 625. No funds provided in this Act shall be used
23 to deny an Inspector General funded under this Act timely
24 access to any records, documents, or other materials avail-
25 able to the department or agency over which that Inspec-

1 tor General has responsibilities under the Inspector Gen-
2 eral Act of 1978, or to prevent or impede that Inspector
3 General's access to such records, documents, or other ma-
4 terials, under any provision of law, except a provision of
5 law that expressly refers to the Inspector General and ex-
6 pressly limits the Inspector General's right of access. A
7 department or agency covered by this section shall provide
8 its Inspector General with access to all such records, docu-
9 ments, and other materials in a timely manner. Each In-
10 spector General shall ensure compliance with statutory
11 limitations on disclosure relevant to the information pro-
12 vided by the establishment over which that Inspector Gen-
13 eral has responsibilities under the Inspector General Act
14 of 1978. Each Inspector General covered by this section
15 shall report to the Committees on Appropriations of the
16 House of Representatives and the Senate within 5 cal-
17 endar days any failures to comply with this requirement.

18 SEC. 626. (a) None of the funds made available in
19 this Act may be used to maintain or establish a computer
20 network unless such network blocks the viewing,
21 downloading, and exchanging of pornography.

22 (b) Nothing in subsection (a) shall limit the use of
23 funds necessary for any Federal, State, tribal, or local law
24 enforcement agency or any other entity carrying out crimi-
25 nal investigations, prosecution, adjudication activities, or

1 other law enforcement- or victim assistance-related activ-
2 ity.

3 SEC. 627. Section 633(a) of title VI of division E of
4 the Consolidated Appropriations Act, 2017 (Public Law
5 115–31) is amended—

6 (1) by inserting “and” at the end of paragraph
7 (1);

8 (2) by striking paragraph (2); and

9 (3) by redesignating paragraph (3) as para-
10 graph (2).

11 SEC. 628. The unobligated balance in the Securities
12 and Exchange Commission Reserve Fund established by
13 section 991 of the Dodd-Frank Wall Street Reform and
14 Consumer Protection Act (Public Law 111–203) are per-
15 manently rescinded.

16 SEC. 629. None of the funds made available by this
17 Act shall be used by the Securities and Exchange Commis-
18 sion to study, develop, propose, finalize, issue, or imple-
19 ment any rule, regulation, or order regarding the disclo-
20 sure of political contributions to tax exempt organizations,
21 or dues paid to trade associations.

22 SEC. 630. None of the funds made available by this
23 Act may be used to enforce the requirements in section
24 316(b)(4)(D) of the Federal Election Campaign Act of
25 1971 (52 U.S.C. 30118(b)(4)(D)) that the solicitation of

1 contributions from member corporations stockholders and
2 executive or administrative personnel, and the families of
3 such stockholders or personnel, by trade associations must
4 be separately and specifically approved by the member cor-
5 poration involved prior to such solicitation, and that such
6 member corporation does not approve any such solicitation
7 by more than one such trade association in any calendar
8 year.

9 SEC. 631. (1) None of the funds appropriated by this
10 Act shall be available to pay for an abortion or the admin-
11 istrative expenses in connection with a multi-State quali-
12 fied health plan offered under a contract under section
13 1334 of the Patient Protection and Affordable Care Act
14 (42 U.S.C. 18054) which provides any benefits or coverage
15 for abortions.

16 (2) The provision of paragraph (1) shall not apply
17 where the life of the mother would be endangered if the
18 fetus were carried to term, or the pregnancy is the result
19 of an act of rape or incest.

20 SEC. 632. None of the funds made available in this
21 Act may be used by a governmental entity to require the
22 disclosure by a provider of electronic communication serv-
23 ice to the public or remote computing service of the con-
24 tents of a wire or electronic communication that is in elec-
25 tronic storage with or otherwise stored, held, or main-

1 tained by that service unless the governmental entity ob-
2 tains a warrant issued upon probable cause by a court of
3 competent jurisdiction using the procedures described in
4 the Federal Rules of Criminal Procedure.

5 SEC. 633. (a) No funds made available by this Act
6 shall be expended on any enforcement action that—

7 (1) concerns a pyramid promotional scheme
8 other than a scheme described in subsection (b); and

9 (2) begins after the date of enactment of this
10 section.

11 (b) The pyramid promotional scheme described in
12 this subsection is any plan or operation in which individ-
13 uals give consideration for the right to receive compensa-
14 tion that is primarily based upon recruiting other individ-
15 uals into such plan or operation rather than related to
16 the—

17 (1) sale of products or services to ultimate
18 users; or

19 (2) consumption by ultimate users.

20 (c) It is not evidence of a pyramid promotional
21 scheme described in subsection (b) if participants in the
22 plan or operation give consideration for the right to receive
23 compensation based upon purchases of products or serv-
24 ices by participants for personal use, consumption, or re-
25 sale, as long as the plan or operation—

1 (1) does not require inventory loading; and

2 (2) implements a bona fide inventory repur-
3 chase agreement.

4 (d) For purposes of this section—

5 (1) the term “bona fide inventory repurchase
6 agreement” means a program by which a plan or op-
7 eration—

8 (A) promises to repurchase, on commer-
9 cially reasonable terms, current and marketable
10 inventory purchased and maintained by a par-
11 ticipant for use, consumption, or resale, upon
12 request at the termination of the participant’s
13 business relationship with the plan or operation;
14 and

15 (B) clearly communicates such terms in its
16 recruiting literature, sales manual, or contracts
17 with participants, including the manner in
18 which the repurchase is to be exercised and dis-
19 closure of any inventory not eligible for repur-
20 chase under the program;

21 (2) the term “commercially reasonable terms”
22 means, with respect to a repurchase of current and
23 marketable inventory, a repurchase within 12
24 months from the date of purchase at not less than

1 90 percent of the original net cost to the participant,
2 less appropriate set-offs and legal claims, if any;

3 (3) the term “inventory loading” means a prac-
4 tice in which a plan or operation—

5 (A) requires or encourages its participants
6 to purchase inventory in an amount exceeding
7 that which the participant can reasonably ex-
8 pect to use, consume, or resell to ultimate
9 users; and

10 (B) is not subject to a bona fide inventory
11 repurchase agreement; and

12 (4) the term “ultimate users” means individuals
13 who consume or use the products or services, wheth-
14 er or not they are participants in the plan or oper-
15 ation.

1 TITLE VII
2 GENERAL PROVISIONS—GOVERNMENT-WIDE
3 DEPARTMENTS, AGENCIES, AND CORPORATIONS
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 701. No department, agency, or instrumentality
6 of the United States receiving appropriated funds under
7 this or any other Act for fiscal year 2018 shall obligate
8 or expend any such funds, unless such department, agen-
9 cy, or instrumentality has in place, and will continue to
10 administer in good faith, a written policy designed to en-
11 sure that all of its workplaces are free from the illegal
12 use, possession, or distribution of controlled substances
13 (as defined in the Controlled Substances Act (21 U.S.C.
14 802)) by the officers and employees of such department,
15 agency, or instrumentality.

16 SEC. 702. Unless otherwise specifically provided, the
17 maximum amount allowable during the current fiscal year
18 in accordance with subsection 1343(c) of title 31, United
19 States Code, for the purchase of any passenger motor ve-
20 hicle (exclusive of buses, ambulances, law enforcement ve-
21 hicles, protective vehicles, and undercover surveillance ve-
22 hicles), is hereby fixed at \$19,947 except station wagons
23 for which the maximum shall be \$19,997: *Provided*, That
24 these limits may be exceeded by not to exceed \$7,250 for
25 police-type vehicles: *Provided further*, That the limits set

1 forth in this section may not be exceeded by more than
2 5 percent for electric or hybrid vehicles purchased for
3 demonstration under the provisions of the Electric and
4 Hybrid Vehicle Research, Development, and Demonstra-
5 tion Act of 1976: *Provided further*, That the limits set
6 forth in this section may be exceeded by the incremental
7 cost of clean alternative fuels vehicles acquired pursuant
8 to Public Law 101–549 over the cost of comparable con-
9 ventionally fueled vehicles: *Provided further*, That the lim-
10 its set forth in this section shall not apply to any vehicle
11 that is a commercial item and which operates on alter-
12 native fuel, including but not limited to electric, plug-in
13 hybrid electric, and hydrogen fuel cell vehicles.

14 SEC. 703. Appropriations of the executive depart-
15 ments and independent establishments for the current fis-
16 cal year available for expenses of travel, or for the ex-
17 penses of the activity concerned, are hereby made available
18 for quarters allowances and cost-of-living allowances, in
19 accordance with 5 U.S.C. 5922–5924.

20 SEC. 704. Unless otherwise specified in law during
21 the current fiscal year, no part of any appropriation con-
22 tained in this or any other Act shall be used to pay the
23 compensation of any officer or employee of the Govern-
24 ment of the United States (including any agency the ma-
25 jority of the stock of which is owned by the Government

1 of the United States) whose post of duty is in the conti-
2 nental United States unless such person: (1) is a citizen
3 of the United States; (2) is a person who is lawfully admit-
4 ted for permanent residence and is seeking citizenship as
5 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
6 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
7 ed asylum under 8 U.S.C. 1158 and has filed a declaration
8 of intention to become a lawful permanent resident and
9 then a citizen when eligible; or (4) is a person who owes
10 allegiance to the United States: *Provided*, That for pur-
11 poses of this section, affidavits signed by any such person
12 shall be considered prima facie evidence that the require-
13 ments of this section with respect to his or her status are
14 being complied with: *Provided further*, That for purposes
15 of subsections (2) and (3) such affidavits shall be sub-
16 mitted prior to employment and updated thereafter as nec-
17 essary: *Provided further*, That any payment made to any
18 officer or employee contrary to the provisions of this sec-
19 tion shall be recoverable in action by the Federal Govern-
20 ment: *Provided further*, That this section shall not apply
21 to any person who is an officer or employee of the Govern-
22 ment of the United States on the date of enactment of
23 this Act, or to international broadcasters employed by the
24 Broadcasting Board of Governors, or to temporary em-
25 ployment of translators, or to temporary employment in

1 the field service (not to exceed 60 days) as a result of
2 emergencies: *Provided further*, That this section does not
3 apply to the employment as Wildland firefighters for not
4 more than 120 days of nonresident aliens employed by the
5 Department of the Interior or the USDA Forest Service
6 pursuant to an agreement with another country.

7 SEC. 705. Appropriations available to any depart-
8 ment or agency during the current fiscal year for nec-
9 essary expenses, including maintenance or operating ex-
10 penses, shall also be available for payment to the General
11 Services Administration for charges for space and services
12 and those expenses of renovation and alteration of build-
13 ings and facilities which constitute public improvements
14 performed in accordance with the Public Buildings Act of
15 1959 (73 Stat. 479), the Public Buildings Amendments
16 of 1972 (86 Stat. 216), or other applicable law.

17 SEC. 706. In addition to funds provided in this or
18 any other Act, all Federal agencies are authorized to re-
19 ceive and use funds resulting from the sale of materials,
20 including Federal records disposed of pursuant to a
21 records schedule recovered through recycling or waste pre-
22 vention programs. Such funds shall be available until ex-
23 pended for the following purposes:

24 (1) Acquisition, waste reduction and prevention,
25 and recycling programs as described in Executive

1 Order No. 13693 (March 19, 2015), including any
2 such programs adopted prior to the effective date of
3 the Executive order.

4 (2) Other Federal agency environmental man-
5 agement programs, including, but not limited to, the
6 development and implementation of hazardous waste
7 management and pollution prevention programs.

8 (3) Other employee programs as authorized by
9 law or as deemed appropriate by the head of the
10 Federal agency.

11 SEC. 707. Funds made available by this or any other
12 Act for administrative expenses in the current fiscal year
13 of the corporations and agencies subject to chapter 91 of
14 title 31, United States Code, shall be available, in addition
15 to objects for which such funds are otherwise available,
16 for rent in the District of Columbia; services in accordance
17 with 5 U.S.C. 3109; and the objects specified under this
18 head, all the provisions of which shall be applicable to the
19 expenditure of such funds unless otherwise specified in the
20 Act by which they are made available: *Provided*, That in
21 the event any functions budgeted as administrative ex-
22 penses are subsequently transferred to or paid from other
23 funds, the limitations on administrative expenses shall be
24 correspondingly reduced.

1 SEC. 708. No part of any appropriation contained in
2 this or any other Act shall be available for interagency
3 financing of boards (except Federal Executive Boards),
4 commissions, councils, committees, or similar groups
5 (whether or not they are interagency entities) which do
6 not have a prior and specific statutory approval to receive
7 financial support from more than one agency or instru-
8 mentality.

9 SEC. 709. None of the funds made available pursuant
10 to the provisions of this or any other Act shall be used
11 to implement, administer, or enforce any regulation which
12 has been disapproved pursuant to a joint resolution duly
13 adopted in accordance with the applicable law of the
14 United States.

15 SEC. 710. During the period in which the head of
16 any department or agency, or any other officer or civilian
17 employee of the Federal Government appointed by the
18 President of the United States, holds office, no funds may
19 be obligated or expended in excess of \$5,000 to furnish
20 or redecorate the office of such department head, agency
21 head, officer, or employee, or to purchase furniture or
22 make improvements for any such office, unless advance
23 notice of such furnishing or redecoration is transmitted
24 to the Committees on Appropriations of the House of Rep-
25 resentatives and the Senate. For the purposes of this sec-

tion, the term “office” shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the indi-

1 vidual was not created solely or primarily in order to detail
2 the individual to the White House.

3 (b) The provisions of this section shall not apply to
4 Federal employees or members of the Armed Forces de-
5 tailed to or from an element of the intelligence community
6 (as that term is defined under section 3(4) of the National
7 Security Act of 1947 (50 U.S.C. 3003(4))).

8 SEC. 713. No part of any appropriation contained in
9 this or any other Act shall be available for the payment
10 of the salary of any officer or employee of the Federal
11 Government, who—

12 (1) prohibits or prevents, or attempts or threat-
13 ens to prohibit or prevent, any other officer or em-
14 ployee of the Federal Government from having any
15 direct oral or written communication or contact with
16 any Member, committee, or subcommittee of the
17 Congress in connection with any matter pertaining
18 to the employment of such other officer or employee
19 or pertaining to the department or agency of such
20 other officer or employee in any way, irrespective of
21 whether such communication or contact is at the ini-
22 tiative of such other officer or employee or in re-
23 sponse to the request or inquiry of such Member,
24 committee, or subcommittee; or

1 (2) removes, suspends from duty without pay,
2 demotes, reduces in rank, seniority, status, pay, or
3 performance or efficiency rating, denies promotion
4 to, relocates, reassigns, transfers, disciplines, or dis-
5 criminates in regard to any employment right, enti-
6 tlement, or benefit, or any term or condition of em-
7 ployment of, any other officer or employee of the
8 Federal Government, or attempts or threatens to
9 commit any of the foregoing actions with respect to
10 such other officer or employee, by reason of any
11 communication or contact of such other officer or
12 employee with any Member, committee, or sub-
13 committee of the Congress as described in paragraph
14 (1).

15 SEC. 714. (a) None of the funds made available in
16 this or any other Act may be obligated or expended for
17 any employee training that—

18 (1) does not meet identified needs for knowl-
19 edge, skills, and abilities bearing directly upon the
20 performance of official duties;

21 (2) contains elements likely to induce high lev-
22 els of emotional response or psychological stress in
23 some participants;

1 (3) does not require prior employee notification
2 of the content and methods to be used in the train-
3 ing and written end of course evaluation;

4 (4) contains any methods or content associated
5 with religious or quasi-religious belief systems or
6 “new age” belief systems as defined in Equal Em-
7 ployment Opportunity Commission Notice N-
8 915.022, dated September 2, 1988; or

9 (5) is offensive to, or designed to change, par-
10 ticipants’ personal values or lifestyle outside the
11 workplace.

12 (b) Nothing in this section shall prohibit, restrict, or
13 otherwise preclude an agency from conducting training
14 bearing directly upon the performance of official duties.

15 SEC. 715. No part of any funds appropriated in this
16 or any other Act shall be used by an agency of the execu-
17 tive branch, other than for normal and recognized execu-
18 tive-legislative relationships, for publicity or propaganda
19 purposes, and for the preparation, distribution or use of
20 any kit, pamphlet, booklet, publication, radio, television,
21 or film presentation designed to support or defeat legisla-
22 tion pending before the Congress, except in presentation
23 to the Congress itself.

24 SEC. 716. None of the funds appropriated by this or
25 any other Act may be used by an agency to provide a Fed-

1 eral employee's home address to any labor organization
2 except when the employee has authorized such disclosure
3 or when such disclosure has been ordered by a court of
4 competent jurisdiction.

5 SEC. 717. None of the funds made available in this
6 or any other Act may be used to provide any non-public
7 information such as mailing, telephone or electronic mail-
8 ing lists to any person or any organization outside of the
9 Federal Government without the approval of the Commit-
10 tees on Appropriations of the House of Representatives
11 and the Senate.

12 SEC. 718. No part of any appropriation contained in
13 this or any other Act shall be used directly or indirectly,
14 including by private contractor, for publicity or propa-
15 ganda purposes within the United States not heretofore
16 authorized by Congress.

17 SEC. 719. (a) In this section, the term "agency"—

18 (1) means an Executive agency, as defined
19 under 5 U.S.C. 105; and

20 (2) includes a military department, as defined
21 under section 102 of such title, the United States
22 Postal Service, and the Postal Regulatory Commis-
23 sion.

24 (b) Unless authorized in accordance with law or regu-
25 lations to use such time for other purposes, an employee

1 of an agency shall use official time in an honest effort
2 to perform official duties. An employee not under a leave
3 system, including a Presidential appointee exempted under
4 5 U.S.C. 6301(2), has an obligation to expend an honest
5 effort and a reasonable proportion of such employee's time
6 in the performance of official duties.

7 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
8 tion 708 of this Act, funds made available for the current
9 fiscal year by this or any other Act to any department
10 or agency, which is a member of the Federal Accounting
11 Standards Advisory Board (FASAB), shall be available to
12 finance an appropriate share of FASAB administrative
13 costs.

14 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
15 tion 708 of this Act, the head of each Executive depart-
16 ment and agency is hereby authorized to transfer to or
17 reimburse "General Services Administration, Government-
18 wide Policy" with the approval of the Director of the Of-
19 fice of Management and Budget, funds made available for
20 the current fiscal year by this or any other Act, including
21 rebates from charge card and other contracts: *Provided*,
22 That these funds shall be administered by the Adminis-
23 trator of General Services to support Government-wide
24 and other multi-agency financial, information technology,
25 procurement, and other management innovations, initia-

1 tives, and activities, including improving coordination and
2 reducing duplication, as approved by the Director of the
3 Office of Management and Budget, in consultation with
4 the appropriate interagency and multi-agency groups des-
5 ignated by the Director (including the President’s Man-
6 agement Council for overall management improvement ini-
7 tiatives, the Chief Financial Officers Council for financial
8 management initiatives, the Chief Information Officers
9 Council for information technology initiatives, the Chief
10 Human Capital Officers Council for human capital initia-
11 tives, the Chief Acquisition Officers Council for procure-
12 ment initiatives, and the Performance Improvement Coun-
13 cil for performance improvement initiatives): *Provided fur-*
14 *ther*, That the total funds transferred or reimbursed shall
15 not exceed \$15,000,000 to improve coordination, reduce
16 duplication, and for other activities related to Federal
17 Government Priority Goals established by 31 U.S.C. 1120,
18 and not to exceed \$17,000,000 for Government-Wide inno-
19 vations, initiatives, and activities: *Provided further*, That
20 the funds transferred to or for reimbursement of “General
21 Services Administration, Government-wide Policy” during
22 fiscal year 2018 shall remain available for obligation
23 through September 30, 2019: *Provided further*, That such
24 transfers or reimbursements may only be made after 15
25 days following notification of the Committees on Appro-

1 priations of the House of Representatives and the Senate
2 by the Director of the Office of Management and Budget.

3 SEC. 722. Notwithstanding any other provision of
4 law, a woman may breastfeed her child at any location
5 in a Federal building or on Federal property, if the woman
6 and her child are otherwise authorized to be present at
7 the location.

8 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
9 tion 708 of this Act, funds made available for the current
10 fiscal year by this or any other Act shall be available for
11 the interagency funding of specific projects, workshops,
12 studies, and similar efforts to carry out the purposes of
13 the National Science and Technology Council (authorized
14 by Executive Order No. 12881), which benefit multiple
15 Federal departments, agencies, or entities: *Provided*, That
16 the Office of Management and Budget shall provide a re-
17 port describing the budget of and resources connected with
18 the National Science and Technology Council to the Com-
19 mittees on Appropriations, the House Committee on
20 Science and Technology, and the Senate Committee on
21 Commerce, Science, and Transportation 90 days after en-
22 actment of this Act.

23 SEC. 724. Any request for proposals, solicitation,
24 grant application, form, notification, press release, or
25 other publications involving the distribution of Federal

1 funds shall comply with any relevant requirements in part
2 200 of title 2, Code of Federal Regulations: *Provided*,
3 That this section shall apply to direct payments, formula
4 funds, and grants received by a State receiving Federal
5 funds.

6 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
7 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
8 the funds made available in this or any other Act may
9 be used by any Federal agency—

10 (1) to collect, review, or create any aggregation
11 of data, derived from any means, that includes any
12 personally identifiable information relating to an in-
13 dividual's access to or use of any Federal Govern-
14 ment Internet site of the agency; or

15 (2) to enter into any agreement with a third
16 party (including another government agency) to col-
17 lect, review, or obtain any aggregation of data, de-
18 rived from any means, that includes any personally
19 identifiable information relating to an individual's
20 access to or use of any nongovernmental Internet
21 site.

22 (b) EXCEPTIONS.—The limitations established in
23 subsection (a) shall not apply to—

24 (1) any record of aggregate data that does not
25 identify particular persons;

1 (2) any voluntary submission of personally iden-
2 tifiable information;

3 (3) any action taken for law enforcement, regu-
4 latory, or supervisory purposes, in accordance with
5 applicable law; or

6 (4) any action described in subsection (a)(1)
7 that is a system security action taken by the oper-
8 ator of an Internet site and is necessarily incident
9 to providing the Internet site services or to pro-
10 tecting the rights or property of the provider of the
11 Internet site.

12 (c) DEFINITIONS.—For the purposes of this section:

13 (1) The term “regulatory” means agency ac-
14 tions to implement, interpret or enforce authorities
15 provided in law.

16 (2) The term “supervisory” means examina-
17 tions of the agency’s supervised institutions, includ-
18 ing assessing safety and soundness, overall financial
19 condition, management practices and policies and
20 compliance with applicable standards as provided in
21 law.

22 SEC. 726. (a) None of the funds appropriated by this
23 Act may be used to enter into or renew a contract which
24 includes a provision providing prescription drug coverage,

1 except where the contract also includes a provision for con-
2 traceptive coverage.

3 (b) Nothing in this section shall apply to a contract
4 with—

5 (1) any of the following religious plans:

6 (A) Personal Care's HMO; and

7 (B) OSF HealthPlans, Inc.; and

8 (2) any existing or future plan, if the carrier
9 for the plan objects to such coverage on the basis of
10 religious beliefs.

11 (c) In implementing this section, any plan that enters
12 into or renews a contract under this section may not sub-
13 ject any individual to discrimination on the basis that the
14 individual refuses to prescribe or otherwise provide for
15 contraceptives because such activities would be contrary
16 to the individual's religious beliefs or moral convictions.

17 (d) Nothing in this section shall be construed to re-
18 quire coverage of abortion or abortion-related services.

19 SEC. 727. The United States is committed to ensur-
20 ing the health of its Olympic, Pan American, and
21 Paralympic athletes, and supports the strict adherence to
22 anti-doping in sport through testing, adjudication, edu-
23 cation, and research as performed by nationally recognized
24 oversight authorities.

1 SEC. 728. Notwithstanding any other provision of
2 law, funds appropriated for official travel to Federal de-
3 partments and agencies may be used by such departments
4 and agencies, if consistent with Office of Management and
5 Budget Circular A; 126 regarding official travel for Gov-
6 ernment personnel, to participate in the fractional aircraft
7 ownership pilot program.

8 SEC. 729. Notwithstanding any other provision of
9 law, no executive branch agency shall purchase, construct,
10 or lease any additional facilities, except within or contig-
11 uous to existing locations, to be used for the purpose of
12 conducting Federal law enforcement training without the
13 advance approval of the Committees on Appropriations of
14 the House of Representatives and the Senate, except that
15 the Federal Law Enforcement Training Center is author-
16 ized to obtain the temporary use of additional facilities
17 by lease, contract, or other agreement for training which
18 cannot be accommodated in existing Center facilities.

19 SEC. 730. Unless otherwise authorized by existing
20 law, none of the funds provided in this or any other Act
21 may be used by an executive branch agency to produce
22 any prepackaged news story intended for broadcast or dis-
23 tribution in the United States, unless the story includes
24 a clear notification within the text or audio of the pre-

1 packaged news story that the prepackaged news story was
2 prepared or funded by that executive branch agency.

3 SEC. 731. None of the funds made available in this
4 Act may be used in contravention of section 552a of title
5 5, United States Code (popularly known as the Privacy
6 Act), and regulations implementing that section.

7 SEC. 732. (a) IN GENERAL.—None of the funds ap-
8 propriated or otherwise made available by this or any
9 other Act may be used for any Federal Government con-
10 tract with any foreign incorporated entity which is treated
11 as an inverted domestic corporation under section 835(b)
12 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
13 or any subsidiary of such an entity.

14 (b) WAIVERS.—

15 (1) IN GENERAL.—Any Secretary shall waive
16 subsection (a) with respect to any Federal Govern-
17 ment contract under the authority of such Secretary
18 if the Secretary determines that the waiver is re-
19 quired in the interest of national security.

20 (2) REPORT TO CONGRESS.—Any Secretary
21 issuing a waiver under paragraph (1) shall report
22 such issuance to Congress.

23 (c) EXCEPTION.—This section shall not apply to any
24 Federal Government contract entered into before the date

1 of the enactment of this Act, or to any task order issued
2 pursuant to such contract.

3 SEC. 733. During fiscal year 2018, for each employee
4 who—

5 (1) retires under section 8336(d)(2) or
6 8414(b)(1)(B) of title 5, United States Code; or

7 (2) retires under any other provision of sub-
8 chapter III of chapter 83 or chapter 84 of such title
9 5 and receives a payment as an incentive to sepa-
10 rate, the separating agency shall remit to the Civil
11 Service Retirement and Disability Fund an amount
12 equal to the Office of Personnel Management's aver-
13 age unit cost of processing a retirement claim for
14 the preceding fiscal year. Such amounts shall be
15 available until expended to the Office of Personnel
16 Management and shall be deemed to be an adminis-
17 trative expense under section 8348(a)(1)(B) of title
18 5, United States Code.

19 SEC. 734. (a) None of the funds made available in
20 this or any other Act may be used to recommend or re-
21 quire any entity submitting an offer for a Federal contract
22 to disclose any of the following information as a condition
23 of submitting the offer:

24 (1) Any payment consisting of a contribution,
25 expenditure, independent expenditure, or disburse-

1 ment for an electioneering communication that is
2 made by the entity, its officers or directors, or any
3 of its affiliates or subsidiaries to a candidate for
4 election for Federal office or to a political com-
5 mittee, or that is otherwise made with respect to any
6 election for Federal office.

7 (2) Any disbursement of funds (other than a
8 payment described in paragraph (1)) made by the
9 entity, its officers or directors, or any of its affiliates
10 or subsidiaries to any person with the intent or the
11 reasonable expectation that the person will use the
12 funds to make a payment described in paragraph
13 (1).

14 (b) In this section, each of the terms “contribution”,
15 “expenditure”, “independent expenditure”, “election-
16 eering communication”, “candidate”, “election”, and
17 “Federal office” has the meaning given such term in the
18 Federal Election Campaign Act of 1971 (52 U.S.C. 30101
19 et seq.).

20 SEC. 735. None of the funds made available in this
21 or any other Act may be used to pay for the painting of
22 a portrait of an officer or employee of the Federal govern-
23 ment, including the President, the Vice President, a mem-
24 ber of Congress (including a Delegate or a Resident Com-
25 missioner to Congress), the head of an executive branch

1 agency (as defined in section 133 of title 41, United States
2 Code), or the head of an office of the legislative branch.

3 SEC. 736. (a)(1) Notwithstanding any other provision
4 of law, and except as otherwise provided in this section,
5 no part of any of the funds appropriated for fiscal year
6 2018, by this or any other Act, may be used to pay any
7 prevailing rate employee described in section
8 5342(a)(2)(A) of title 5, United States Code—

9 (A) during the period from the date of expira-
10 tion of the limitation imposed by the comparable sec-
11 tion for the previous fiscal years until the normal ef-
12 fective date of the applicable wage survey adjust-
13 ment that is to take effect in fiscal year 2018, in an
14 amount that exceeds the rate payable for the appli-
15 cable grade and step of the applicable wage schedule
16 in accordance with such section; and

17 (B) during the period consisting of the remain-
18 der of fiscal year 2018 , in an amount that exceeds,
19 as a result of a wage survey adjustment, the rate
20 payable under subparagraph (A) by more than the
21 sum of—

22 (i) the percentage adjustment taking effect
23 in fiscal year 2018 under section 5303 of title
24 5, United States Code, in the rates of pay
25 under the General Schedule; and

1 (ii) the difference between the overall aver-
2 age percentage of the locality-based com-
3 parability payments taking effect in fiscal year
4 2018 under section 5304 of such title (whether
5 by adjustment or otherwise), and the overall av-
6 erage percentage of such payments which was
7 effective in the previous fiscal year under such
8 section.

9 (2) Notwithstanding any other provision of law, no
10 prevailing rate employee described in subparagraph (B) or
11 (C) of section 5342(a)(2) of title 5, United States Code,
12 and no employee covered by section 5348 of such title,
13 may be paid during the periods for which paragraph (1)
14 is in effect at a rate that exceeds the rates that would
15 be payable under paragraph (1) were paragraph (1) appli-
16 cable to such employee.

17 (3) For the purposes of this subsection, the rates pay-
18 able to an employee who is covered by this subsection and
19 who is paid from a schedule not in existence on September
20 30, 2017, shall be determined under regulations pre-
21 scribed by the Office of Personnel Management.

22 (4) Notwithstanding any other provision of law, rates
23 of premium pay for employees subject to this subsection
24 may not be changed from the rates in effect on September
25 30, 2017, except to the extent determined by the Office

1 of Personnel Management to be consistent with the pur-
2 pose of this subsection.

3 (5) This subsection shall apply with respect to pay
4 for service performed after September 30, 2017.

5 (6) For the purpose of administering any provision
6 of law (including any rule or regulation that provides pre-
7 mium pay, retirement, life insurance, or any other em-
8 ployee benefit) that requires any deduction or contribu-
9 tion, or that imposes any requirement or limitation on the
10 basis of a rate of salary or basic pay, the rate of salary
11 or basic pay payable after the application of this sub-
12 section shall be treated as the rate of salary or basic pay.

13 (7) Nothing in this subsection shall be considered to
14 permit or require the payment to any employee covered
15 by this subsection at a rate in excess of the rate that would
16 be payable were this subsection not in effect.

17 (8) The Office of Personnel Management may provide
18 for exceptions to the limitations imposed by this sub-
19 section if the Office determines that such exceptions are
20 necessary to ensure the recruitment or retention of quali-
21 fied employees.

22 (b) Notwithstanding subsection (a), the adjustment
23 in rates of basic pay for the statutory pay systems that
24 take place in fiscal year 2018 under sections 5344 and
25 5348 of title 5, United States Code, shall be—

1 (1) not less than the percentage received by em-
2 ployees in the same location whose rates of basic pay
3 are adjusted pursuant to the statutory pay systems
4 under sections 5303 and 5304 of title 5, United
5 States Code: *Provided*, That prevailing rate employ-
6 ees at locations where there are no employees whose
7 pay is increased pursuant to sections 5303 and 5304
8 of title 5, United States Code, and prevailing rate
9 employees described in section 5343(a)(5) of title 5,
10 United States Code, shall be considered to be located
11 in the pay locality designated as “Rest of United
12 States” pursuant to section 5304 of title 5, United
13 States Code, for purposes of this subsection; and

14 (2) effective as of the first day of the first ap-
15 plicable pay period beginning after September 30,
16 2017.

17 SEC. 737. (a) The head of any Executive branch de-
18 partment, agency, board, commission, or office funded by
19 this or any other appropriations Act shall submit annual
20 reports to the Inspector General or senior ethics official
21 for any entity without an Inspector General, regarding the
22 costs and contracting procedures related to each con-
23 ference held by any such department, agency, board, com-
24 mission, or office during fiscal year 2018 for which the

1 cost to the United States Government was more than
2 \$100,000.

3 (b) Each report submitted shall include, for each con-
4 ference described in subsection (a) held during the applica-
5 ble period—

6 (1) a description of its purpose;

7 (2) the number of participants attending;

8 (3) a detailed statement of the costs to the
9 United States Government, including—

10 (A) the cost of any food or beverages;

11 (B) the cost of any audio-visual services;

12 (C) the cost of employee or contractor
13 travel to and from the conference; and

14 (D) a discussion of the methodology used
15 to determine which costs relate to the con-
16 ference; and

17 (4) a description of the contracting procedures
18 used including—

19 (A) whether contracts were awarded on a
20 competitive basis; and

21 (B) a discussion of any cost comparison
22 conducted by the departmental component or
23 office in evaluating potential contractors for the
24 conference.

1 (c) Within 15 days after the end of a quarter, the
2 head of any such department, agency, board, commission,
3 or office shall notify the Inspector General or senior ethics
4 official for any entity without an Inspector General, of the
5 date, location, and number of employees attending a con-
6 ference held by any Executive branch department, agency,
7 board, commission, or office funded by this or any other
8 appropriations Act during fiscal year 2018 for which the
9 cost to the United States Government was more than
10 \$20,000.

11 (d) A grant or contract funded by amounts appro-
12 priated by this or any other appropriations Act may not
13 be used for the purpose of defraying the costs of a con-
14 ference described in subsection (c) that is not directly and
15 programmatically related to the purpose for which the
16 grant or contract was awarded, such as a conference held
17 in connection with planning, training, assessment, review,
18 or other routine purposes related to a project funded by
19 the grant or contract.

20 (e) None of the funds made available in this or any
21 other appropriations Act may be used for travel and con-
22 ference activities that are not in compliance with Office
23 of Management and Budget Memorandum M-12-12
24 dated May 11, 2012 or any subsequent revisions to that
25 memorandum.

1 SEC. 738. None of the funds made available in this
2 or any other appropriations Act may be used to increase,
3 eliminate, or reduce funding for a program, project, or ac-
4 tivity as proposed in the President’s budget request for
5 a fiscal year until such proposed change is subsequently
6 enacted in an appropriation Act, or unless such change
7 is made pursuant to the reprogramming or transfer provi-
8 sions of this or any other appropriations Act.

9 SEC. 739. None of the funds made available by this
10 or any other Act may be used to implement, administer,
11 enforce, or apply the rule entitled “Competitive Area”
12 published by the Office of Personnel Management in the
13 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
14 et seq.).

15 SEC. 740. (a) None of the funds appropriated or oth-
16 erwise made available by this or any other Act may be
17 available for a contract, grant, or cooperative agreement
18 with an entity that requires employees or contractors of
19 such entity seeking to report fraud, waste, or abuse to sign
20 internal confidentiality agreements or statements prohib-
21 iting or otherwise restricting such employees or contrac-
22 tors from lawfully reporting such waste, fraud, or abuse
23 to a designated investigative or law enforcement represent-
24 ative of a Federal department or agency authorized to re-
25 ceive such information.

1 (b) The limitation in subsection (a) shall not con-
2 travene requirements applicable to Standard Form 312,
3 Form 4414, or any other form issued by a Federal depart-
4 ment or agency governing the nondisclosure of classified
5 information.

6 SEC. 741. (a) No funds appropriated in this or any
7 other Act may be used to implement or enforce the agree-
8 ments in Standard Forms 312 and 4414 of the Govern-
9 ment or any other nondisclosure policy, form, or agree-
10 ment if such policy, form, or agreement does not contain
11 the following provisions: “These provisions are consistent
12 with and do not supersede, conflict with, or otherwise alter
13 the employee obligations, rights, or liabilities created by
14 existing statute or Executive order relating to: (1) classi-
15 fied information; (2) communications to Congress; (3) the
16 reporting to an Inspector General of a violation of any
17 law, rule, or regulation, or mismanagement, a gross waste
18 of funds, an abuse of authority, or a substantial and spe-
19 cific danger to public health or safety; or (4) any other
20 whistleblower protection. The definitions, requirements,
21 obligations, rights, sanctions, and liabilities created by
22 controlling Executive orders and statutory provisions are
23 incorporated into this agreement and are controlling.”:
24 *Provided*, That notwithstanding the preceding provision of
25 this section, a nondisclosure policy form or agreement that

1 is to be executed by a person connected with the conduct
2 of an intelligence or intelligence-related activity, other
3 than an employee or officer of the United States Govern-
4 ment, may contain provisions appropriate to the particular
5 activity for which such document is to be used. Such form
6 or agreement shall, at a minimum, require that the person
7 will not disclose any classified information received in the
8 course of such activity unless specifically authorized to do
9 so by the United States Government. Such nondisclosure
10 forms shall also make it clear that they do not bar disclo-
11 sures to Congress, or to an authorized official of an execu-
12 tive agency or the Department of Justice, that are essen-
13 tial to reporting a substantial violation of law.

14 (b) A nondisclosure agreement may continue to be
15 implemented and enforced notwithstanding subsection (a)
16 if it complies with the requirements for such agreement
17 that were in effect when the agreement was entered into.

18 (c) No funds appropriated in this or any other Act
19 may be used to implement or enforce any agreement en-
20 tered into during fiscal year 2014 which does not contain
21 substantially similar language to that required in sub-
22 section (a).

23 SEC. 742. None of the funds made available by this
24 or any other Act may be used to enter into a contract,
25 memorandum of understanding, or cooperative agreement

1 with, make a grant to, or provide a loan or loan guarantee
2 to, any corporation that has any unpaid Federal tax liabil-
3 ity that has been assessed, for which all judicial and ad-
4 ministrative remedies have been exhausted or have lapsed,
5 and that is not being paid in a timely manner pursuant
6 to an agreement with the authority responsible for col-
7 lecting the tax liability, where the awarding agency is
8 aware of the unpaid tax liability, unless a Federal agency
9 has considered suspension or debarment of the corporation
10 and has made a determination that this further action is
11 not necessary to protect the interests of the Government.

12 SEC. 743. None of the funds made available by this
13 or any other Act may be used to enter into a contract,
14 memorandum of understanding, or cooperative agreement
15 with, make a grant to, or provide a loan or loan guarantee
16 to, any corporation that was convicted of a felony criminal
17 violation under any Federal law within the preceding 24
18 months, where the awarding agency is aware of the convic-
19 tion, unless a Federal agency has considered suspension
20 or debarment of the corporation and has made a deter-
21 mination that this further action is not necessary to pro-
22 tect the interests of the Government.

23 SEC. 744. (a) During fiscal year 2018, on the date
24 on which a request is made for a transfer of funds in ac-
25 cordance with section 1017 of Public Law 111–203, the

1 Bureau of Consumer Financial Protection shall notify the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate, the Committee on Financial Serv-
4 ices of the House of Representatives, and the Committee
5 on Banking, Housing, and Urban Affairs of the Senate
6 of such request.

7 (b) Any notification required by this section shall be
8 made available on the Bureau's public Web site.

9 SEC. 745. None of the funds made available under
10 this or any other Act may be used to implement or enforce
11 Executive Order No. 13690, "Establishing a Federal
12 Flood Risk Management Standard and a Process for Fur-
13 ther Soliciting and Considering Stakeholder Input", in-
14 cluding any related rules, interim final rules, or guidance.

15 SEC. 746. Except as expressly provided otherwise,
16 any reference to "this Act" contained in any title other
17 than title IV or VIII shall not apply to such title IV or
18 VIII.

1 TITLE VIII
2 GENERAL PROVISIONS—DISTRICT OF
3 COLUMBIA

4 (INCLUDING TRANSFERS OF FUNDS)

5 SEC. 801. There are appropriated from the applicable
6 funds of the District of Columbia such sums as may be
7 necessary for making refunds and for the payment of legal
8 settlements or judgments that have been entered against
9 the District of Columbia government.

10 SEC. 802. None of the Federal funds provided in this
11 Act shall be used for publicity or propaganda purposes or
12 implementation of any policy including boycott designed
13 to support or defeat legislation pending before Congress
14 or any State legislature.

15 SEC. 803. (a) None of the Federal funds provided
16 under this Act to the agencies funded by this Act, both
17 Federal and District government agencies, that remain
18 available for obligation or expenditure in fiscal year 2018,
19 or provided from any accounts in the Treasury of the
20 United States derived by the collection of fees available
21 to the agencies funded by this Act, shall be available for
22 obligation or expenditures for an agency through a re-
23 programming of funds which—

24 (1) creates new programs;

1 (2) eliminates a program, project, or responsi-
2 bility center;

3 (3) establishes or changes allocations specifi-
4 cally denied, limited or increased under this Act;

5 (4) increases funds or personnel by any means
6 for any program, project, or responsibility center for
7 which funds have been denied or restricted;

8 (5) re-establishes any program or project pre-
9 viously deferred through reprogramming;

10 (6) augments any existing program, project, or
11 responsibility center through a reprogramming of
12 funds in excess of \$3,000,000 or 10 percent, which-
13 ever is less; or

14 (7) increases by 20 percent or more personnel
15 assigned to a specific program, project or responsi-
16 bility center,

17 unless prior approval is received from the Committees on
18 Appropriations of the House of Representatives and the
19 Senate.

20 (b) The District of Columbia government is author-
21 ized to approve and execute reprogramming and transfer
22 requests of local funds under this title through November
23 7, 2018.

24 SEC. 804. None of the Federal funds provided in this
25 Act may be used by the District of Columbia to provide

1 for salaries, expenses, or other costs associated with the
2 offices of United States Senator or United States Rep-
3 resentative under section 4(d) of the District of Columbia
4 Statehood Constitutional Convention Initiatives of 1979
5 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

6 SEC. 805. Except as otherwise provided in this sec-
7 tion, none of the funds made available by this Act or by
8 any other Act may be used to provide any officer or em-
9 ployee of the District of Columbia with an official vehicle
10 unless the officer or employee uses the vehicle only in the
11 performance of the officer’s or employee’s official duties.
12 For purposes of this section, the term “official duties”
13 does not include travel between the officer’s or employee’s
14 residence and workplace, except in the case of—

15 (1) an officer or employee of the Metropolitan
16 Police Department who resides in the District of Co-
17 lumbia or is otherwise designated by the Chief of the
18 Department;

19 (2) at the discretion of the Fire Chief, an offi-
20 cer or employee of the District of Columbia Fire and
21 Emergency Medical Services Department who re-
22 sides in the District of Columbia and is on call 24
23 hours a day;

24 (3) at the discretion of the Director of the De-
25 partment of Corrections, an officer or employee of

1 the District of Columbia Department of Corrections
2 who resides in the District of Columbia and is on
3 call 24 hours a day;

4 (4) at the discretion of the Chief Medical Ex-
5 aminer, an officer or employee of the Office of the
6 Chief Medical Examiner who resides in the District
7 of Columbia and is on call 24 hours a day;

8 (5) at the discretion of the Director of the
9 Homeland Security and Emergency Management
10 Agency, an officer or employee of the Homeland Se-
11 curity and Emergency Management Agency who re-
12 sides in the District of Columbia and is on call 24
13 hours a day;

14 (6) the Mayor of the District of Columbia; and

15 (7) the Chairman of the Council of the District
16 of Columbia.

17 SEC. 806. (a) None of the Federal funds contained
18 in this Act may be used by the District of Columbia Attor-
19 ney General or any other officer or entity of the District
20 government to provide assistance for any petition drive or
21 civil action which seeks to require Congress to provide for
22 voting representation in Congress for the District of Co-
23 lumbia.

24 (b) Nothing in this section bars the District of Co-
25 lumbia Attorney General from reviewing or commenting

1 on briefs in private lawsuits, or from consulting with offi-
2 cials of the District government regarding such lawsuits.

3 SEC. 807. None of the Federal funds contained in
4 this Act may be used to distribute any needle or syringe
5 for the purpose of preventing the spread of blood borne
6 pathogens in any location that has been determined by the
7 local public health or local law enforcement authorities to
8 be inappropriate for such distribution.

9 SEC. 808. Nothing in this Act may be construed to
10 prevent the Council or Mayor of the District of Columbia
11 from addressing the issue of the provision of contraceptive
12 coverage by health insurance plans, but it is the intent
13 of Congress that any legislation enacted on such issue
14 should include a “conscience clause” which provides excep-
15 tions for religious beliefs and moral convictions.

16 SEC. 809. (a) None of the Federal funds contained
17 in this Act may be used to enact or carry out any law,
18 rule, or regulation to legalize or otherwise reduce penalties
19 associated with the possession, use, or distribution of any
20 schedule I substance under the Controlled Substances Act
21 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
22 rivative.

23 (b) No funds available for obligation or expenditure
24 by the District of Columbia government under any author-
25 ity may be used to enact any law, rule, or regulation to

1 legalize or otherwise reduce penalties associated with the
2 possession, use, or distribution of any schedule I substance
3 under the Controlled Substances Act (21 U.S.C. 801 et
4 seq.) or any tetrahydrocannabinols derivative for rec-
5 reational purposes.

6 SEC. 810. No funds available for obligation or ex-
7 penditure by the District of Columbia government under
8 any authority shall be expended for any abortion except
9 where the life of the mother would be endangered if the
10 fetus were carried to term or where the pregnancy is the
11 result of an act of rape or incest.

12 SEC. 811. (a) No later than 30 calendar days after
13 the date of the enactment of this Act, the Chief Financial
14 Officer for the District of Columbia shall submit to the
15 appropriate committees of Congress, the Mayor, and the
16 Council of the District of Columbia, a revised appropriated
17 funds operating budget in the format of the budget that
18 the District of Columbia government submitted pursuant
19 to section 442 of the District of Columbia Home Rule Act
20 (D.C. Official Code, sec. 1–204.42), for all agencies of the
21 District of Columbia government for fiscal year 2018 that
22 is in the total amount of the approved appropriation and
23 that realigns all budgeted data for personal services and
24 other-than-personal services, respectively, with anticipated
25 actual expenditures.

1 (b) This section shall apply only to an agency for
2 which the Chief Financial Officer for the District of Co-
3 lumbia certifies that a reallocation is required to address
4 unanticipated changes in program requirements.

5 SEC. 812. No later than 30 calendar days after the
6 date of the enactment of this Act, the Chief Financial Offi-
7 cer for the District of Columbia shall submit to the appro-
8 priate committees of Congress, the Mayor, and the Council
9 for the District of Columbia, a revised appropriated funds
10 operating budget for the District of Columbia Public
11 Schools that aligns schools budgets to actual enrollment.
12 The revised appropriated funds budget shall be in the for-
13 mat of the budget that the District of Columbia govern-
14 ment submitted pursuant to section 442 of the District
15 of Columbia Home Rule Act (D.C. Official Code, sec. 1–
16 204.42).

17 SEC. 813. (a) Amounts appropriated in this Act as
18 operating funds may be transferred to the District of Co-
19 lumbia’s enterprise and capital funds and such amounts,
20 once transferred, shall retain appropriation authority con-
21 sistent with the provisions of this Act.

22 (b) The District of Columbia government is author-
23 ized to reprogram or transfer for operating expenses any
24 local funds transferred or reprogrammed in this or the
25 four prior fiscal years from operating funds to capital

1 funds, and such amounts, once transferred or repro-
2 grammed, shall retain appropriation authority consistent
3 with the provisions of this Act.

4 (c) The District of Columbia government may not
5 transfer or reprogram for operating expenses any funds
6 derived from bonds, notes, or other obligations issued for
7 capital projects.

8 SEC. 814. None of the Federal funds appropriated
9 in this Act shall remain available for obligation beyond
10 the current fiscal year, nor may any be transferred to
11 other appropriations, unless expressly so provided herein.

12 SEC. 815. Except as otherwise specifically provided
13 by law or under this Act, not to exceed 50 percent of unob-
14 ligated balances remaining available at the end of fiscal
15 year 2018 from appropriations of Federal funds made
16 available for salaries and expenses for fiscal year 2018 in
17 this Act, shall remain available through September 30,
18 2019, for each such account for the purposes authorized:
19 *Provided*, That a request shall be submitted to the Com-
20 mittees on Appropriations of the House of Representatives
21 and the Senate for approval prior to the expenditure of
22 such funds: *Provided further*, That these requests shall be
23 made in compliance with reprogramming guidelines out-
24 lined in section 803 of this Act.

1 SEC. 816. (a)(1) During fiscal year 2019, during a
2 period in which neither a District of Columbia continuing
3 resolution or a regular District of Columbia appropriation
4 bill is in effect, local funds are appropriated in the amount
5 provided for any project or activity for which local funds
6 are provided in the Act referred to in paragraph (2) (sub-
7 ject to any modifications enacted by the District of Colum-
8 bia as of the beginning of the period during which this
9 subsection is in effect) at the rate set forth by such Act.

10 (2) The Act referred to in this paragraph is the Act
11 of the Council of the District of Columbia pursuant to
12 which a proposed budget is approved for fiscal year 2019
13 which (subject to the requirements of the District of Co-
14 lumbia Home Rule Act) will constitute the local portion
15 of the annual budget for the District of Columbia govern-
16 ment for fiscal year 2019 for purposes of section 446 of
17 the District of Columbia Home Rule Act (sec. 1–204.46,
18 D.C. Official Code).

19 (b) Appropriations made by subsection (a) shall cease
20 to be available—

21 (1) during any period in which a District of Co-
22 lumbia continuing resolution for fiscal year 2019 is
23 in effect; or

1 (2) upon the enactment into law of the regular
2 District of Columbia appropriation bill for fiscal year
3 2019.

4 (c) An appropriation made by subsection (a) is pro-
5 vided under the authority and conditions as provided
6 under this Act and shall be available to the extent and
7 in the manner that would be provided by this Act.

8 (d) An appropriation made by subsection (a) shall
9 cover all obligations or expenditures incurred for such
10 project or activity during the portion of fiscal year 2019
11 for which this section applies to such project or activity.

12 (e) This section shall not apply to a project or activity
13 during any period of fiscal year 2019 if any other provi-
14 sion of law (other than an authorization of appropria-
15 tions)—

16 (1) makes an appropriation, makes funds avail-
17 able, or grants authority for such project or activity
18 to continue for such period; or

19 (2) specifically provides that no appropriation
20 shall be made, no funds shall be made available, or
21 no authority shall be granted for such project or ac-
22 tivity to continue for such period.

23 (f) Nothing in this section shall be construed to affect
24 obligations of the government of the District of Columbia
25 mandated by other law.

1 SEC. 817. (a) Effective with respect to fiscal year
2 2013 and each succeeding fiscal year, the Local Budget
3 Autonomy Amendment Act of 2012 (D.C. Law 19–321)
4 is hereby repealed, and any provision of law amended or
5 repealed by such Act shall be restored or revived as if such
6 Act had not been enacted into law.

7 (b)(1) Section 450 of the District of Columbia Home
8 Rule Act (sec. 1–204.50, D.C. Official Code) is amend-
9 ed—

10 (A) in the first sentence, by striking “The
11 General Fund” and inserting “(a) IN GEN-
12 ERAL.—The General Fund”; and

13 (B) by adding at the end the following new
14 subsection:

15 “(b) APPLICATION OF FEDERAL APPROPRIATIONS
16 PROCESS.—Nothing in this Act shall be construed as cre-
17 ating a continuing appropriation of the General Fund de-
18 scribed in subsection (a). All funds provided for the Dis-
19 trict of Columbia shall be appropriated on an annual fiscal
20 year basis through the Federal appropriations process.
21 For each fiscal year, the District shall be subject to all
22 applicable requirements of subchapter III of chapter 13
23 and subchapter II of chapter 15 of title 31, United States
24 Code (commonly known as the ‘Anti-Deficiency Act’), the
25 Budget and Accounting Act of 1921, and all other require-

1 ments and restrictions applicable to appropriations for
2 such fiscal year.”.

3 (2) Section 603(a) of such Act (sec. 1–206.03(a),
4 D.C. Official Code) is amended—

5 (A) by striking “existing”; and

6 (B) by striking the period at the end and in-
7 serting the following: “, or as authorizing the Dis-
8 trict of Columbia to make any such change.”.

9 (3) The amendments made by this subsection shall
10 take effect as if included in the enactment of the District
11 of Columbia Home Rule Act.

12 SEC. 818. (a) No funds available for obligation or ex-
13 penditure by the District of Columbia government under
14 any authority may be used to enact any act, resolution,
15 rule, regulation, guidance, or other law to permit any per-
16 son to carry out any activity, or to reduce the penalties
17 imposed with respect to any activity, to which subsection
18 (a) of section 3 of the Assisted Suicide Funding Restric-
19 tion Act of 1997 (42 U.S.C. 14402) applies (taking into
20 consideration subsection (b) of such section).

21 (b) Effective February 18, 2017, the Death With
22 Dignity Act of 2016 (D.C. Law 21–182) is hereby re-
23 pealed.

24 SEC. 819. Except as expressly provided otherwise,
25 any reference to “this Act” contained in this title or in

- 1 title IV shall be treated as referring only to the provisions
- 2 of this title or of title IV.

1 TITLE IX—OTHER MATTERS

2 TABLE OF CONTENTS

3 SEC. 901.

4 The table of contents for this title is as follows:

- Sec. 901. Table of contents.
- Sec. 902. Directed rulemaking repeals.
- Sec. 903. Repeal and modification of provisions of the Financial Stability Act of 2010.
- Sec. 904. Bringing the Federal Deposit Insurance Corporation into the appropriations process.
- Sec. 905. Bringing the Federal Housing Finance Agency into the appropriations process.
- Sec. 906. Bringing the examination and supervision functions of the National Credit Union Administration into the appropriations process.
- Sec. 907. Bringing the Office of the Comptroller of the Currency into the appropriations process.
- Sec. 908. Bringing the non-monetary policy related functions of the Board of Governors of the Federal Reserve System into the appropriations process.
- Sec. 909. Increased threshold for disclosures relating to compensatory benefit plans.
- Sec. 910. Refunding or crediting overpayment of section 31 fees.
- Sec. 911. Safe harbor for investment fund research.
- Sec. 912. Annual review of government-business forum on capital formation.
- Sec. 913. Helping Angles Lead Our Startups.
- Sec. 914. Investor limitation for qualifying venture capital funds.
- Sec. 915. Manufactured Housing.
- Sec. 916. Requirements for deposit account termination requests and orders.
- Sec. 917. Amendments to the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.
- Sec. 918. Safe harbor for certain loans held on portfolio.
- Sec. 919. Changes required to small bank holding company policy statement on assessment of financial and managerial factors.
- Sec. 920. Community financial institution mortgage relief.
- Sec. 921. Regulations appropriate to business models.
- Sec. 922. Eliminating barriers to jobs for loan originators.
- Sec. 923. Small business loan data collection requirement.
- Sec. 924. Depository institutions subject to maintenance of records and disclosure requirements.
- Sec. 925. Rate of interest after transfer of loan.
- Sec. 926. Bringing the Bureau into the regular appropriations process.
- Sec. 927. Elimination of supervision authority.
- Sec. 928. Removal of authority to regulate small-dollar credit.
- Sec. 929. Removal of Bureau UDAAP authority.
- Sec. 930. Repeal of authority to restrict arbitration.
- Sec. 931. Exemption from risk retention requirements for nonresidential mortgage.
- Sec. 932. Prohibition on requiring a single ballot.
- Sec. 933. Repeal of the Volcker Rule and other provisions.

1 DIRECTED RULEMAKING REPEALS

2 SEC. 902.

3 With respect to any directed rulemaking required by
4 a provision of law repealed by this title, to the extent any
5 rule was issued or revised pursuant to such directed rule-
6 making, such rule or revision shall have no force or effect.

7 REPEAL AND MODIFICATION OF PROVISIONS OF THE

8 FINANCIAL STABILITY ACT OF 2010

9 SEC. 903.

10 (a) REPEALS.—The following provisions of the Fi-
11 nancial Stability Act of 2010 are repealed, and the provi-
12 sions of law amended or repealed by such provisions are
13 restored or revived as if such provisions had not been en-
14 acted:

- 15 (1) Subtitle B.
- 16 (2) Section 113.
- 17 (3) Section 114.
- 18 (4) Section 115.
- 19 (5) Section 116.
- 20 (6) Section 117.
- 21 (7) Section 119.
- 22 (8) Section 120.
- 23 (9) Section 121.
- 24 (10) Section 161.
- 25 (11) Section 162.
- 26 (12) Section 164.

1 (13) Section 166.

2 (14) Section 167.

3 (15) Section 168.

4 (16) Section 170.

5 (17) Section 172.

6 (18) Section 174.

7 (19) Section 175.

8 (b) ADDITIONAL MODIFICATIONS.—The Financial
9 Stability Act of 2010 (12 U.S.C. 5311 et seq.) is amend-
10 ed—

11 (1) in section 102(a), by striking paragraph
12 (5);

13 (2) in section 111—

14 (A) in subsection (b)—

15 (i) in paragraph (1)—

16 (I) by striking “who shall each”
17 and inserting “who shall, except as
18 provided below, each”; and

19 (II) by striking subparagraphs
20 (B) through (I) and inserting the fol-
21 lowing:

22 “(B) each member of the Board of Gov-
23 ernors, who shall collectively have 1 vote on the
24 Council;

25 “(C) the Comptroller of the Currency;

1 “(D) the Director of the Bureau;

2 “(E) each member of the Commission, who
3 shall collectively have 1 vote on the Council;

4 “(F) each member of the Corporation, who
5 shall collectively have 1 vote on the Council;

6 “(G) each member of the Commodity Fu-
7 tures Trading Commission, who shall collec-
8 tively have 1 vote on the Council;

9 “(H) the Director of the Federal Housing
10 Finance Agency;

11 “(I) each member of the National Credit
12 Union Administration Board, who shall collec-
13 tively have 1 vote on the Council; and”;

14 (ii) in paragraph (2)—

15 (I) by striking subparagraph (A);

16 and

17 (II) by redesignating subpara-
18 graphs (B), (C), (D), and (E) as sub-
19 paragraphs (A), (B), (C), and (D), re-
20 spectively; and

21 (iii) by adding at the end the fol-
22 lowing:

23 “(4) VOTING BY MULTI-PERSON ENTITY.—

24 “(A) VOTING WITHIN THE ENTITY.—An
25 entity described under subparagraph (B), (E),

1 (F), (G), or (I) of paragraph (1) shall deter-
2 mine the entity's Council vote by using the vot-
3 ing process normally applicable to votes by the
4 entity's members.

5 “(B) CASTING OF ENTITY VOTE.—The 1
6 collective Council vote of an entity described
7 under subparagraph (A) shall be cast by the
8 head of such agency or, in the event such head
9 is unable to cast such vote, the next most senior
10 member of the entity available.”;

11 (B) in subsection (c)(1), by striking “The
12 independent member of the Council shall serve
13 for a term of 6 years, and each nonvoting mem-
14 ber described in subparagraphs (C), (D), and
15 (E) of” and inserting “Each nonvoting mem-
16 bers described under”;

17 (C) in subsection (e), by adding at the end
18 the following:

19 “(3) STAFF ACCESS.—Any member of the
20 Council may select to have one or more individuals
21 on the member's staff attend a meeting of the Coun-
22 cil, including any meeting of representatives of the
23 member agencies other than the members them-
24 selves.

1 “(4) CONGRESSIONAL OVERSIGHT.—All public
2 meetings of the Council shall be open to the attend-
3 ance by members of the authorization and oversight
4 committees of the House of Representatives and the
5 Senate.

6 “(5) TRANSCRIPTION REQUIREMENT FOR NON-
7 PUBLIC MEETINGS.—The Council shall create and
8 preserve transcripts for all non-public meetings of
9 the Council.

10 “(6) MEMBER AGENCY MEETINGS.—Any meet-
11 ing of representatives of the member agencies other
12 than the members themselves shall be open to at-
13 tendance by staff of the authorization and oversight
14 committees of the House of Representatives and the
15 Senate.”;

16 (D) by striking subsection (g) (relating to
17 the nonapplicability of FACA);

18 (E) by inserting after subsection (f) the
19 following:

20 “(g) OPEN MEETING REQUIREMENT.—The Council
21 shall be an agency for purposes of section 552b of title
22 5, United States Code (commonly referred to as the ‘Gov-
23 ernment in the Sunshine Act’).

24 “(h) CONFIDENTIAL CONGRESSIONAL BRIEFINGS.—
25 The Chairperson shall at regular times but not less than

1 annually provide confidential briefings to the Committee
2 on Financial Services of the House of Representatives and
3 the Committee on Banking, Housing, and Urban Affairs
4 of the Senate, which may in the discretion of the Chair-
5 man of the respective committee be attended by any com-
6 bination of the committee's members or staff.”; and

7 (F) by redesignating subsections (h)
8 through (j) as subsections (i) through (k), re-
9 spectively;

10 (3) in section 112—

11 (A) in subsection (a)(2)—

12 (i) in subparagraph (A), by striking
13 “direct the Office of Financial Research
14 to”;

15 (ii) by striking subparagraphs (B),
16 (H), and (I);

17 (iii) by redesignating subparagraphs
18 (C), (D), (E), (F), (G), (J), (K), (L), (M),
19 and (N) as subparagraphs (B), (C), (D),
20 (E), (F), (G), (H), (I), (J), and (K), re-
21 spectively;

22 (iv) in subparagraph (K), as so redес-
23 ignated—

24 (I) in clause (iii), by adding
25 “and” at the end;

1 (II) by striking clauses (iv) and
2 (v); and

3 (III) by redesignating clause (vi)
4 as clause (iv); and

5 (B) in subsection (d)—

6 (i) in paragraph (1), by striking “the
7 Office of Financial Research, member
8 agencies,” and inserting “member agen-
9 cies”;

10 (ii) in paragraph (2), by striking “the
11 Office of Financial Research, any member
12 agency,” and inserting “member agencies”;

13 (iii) in paragraph (3)—

14 (I) by striking “, acting through
15 the Office of Financial Research,”
16 each place it appears; and

17 (II) in subparagraph (B), by
18 striking “the Office of Financial Re-
19 search or”; and

20 (iv) in paragraph (5)(A), by striking
21 “, the Office of Financial Research,”;

22 (4) by amending section 118 to read as follows:

1 **“SEC. 118. COUNCIL FUNDING.**

2 “There is authorized to be appropriated to the Coun-
3 cil \$4,000,000 for fiscal year 2018 and each fiscal year
4 thereafter to carry out the duties of the Council.”;

5 (5) in section 163—

6 (A) by striking subsection (a);

7 (B) by redesignating subsection (b) as sub-
8 section (a); and

9 (C) in subsection (a), as so redesignated,
10 by striking “or a nonbank financial company
11 supervised by the Board of Governors” each
12 place such term appears;

13 (6) in section 165—

14 (A) by striking “nonbank financial compa-
15 nies supervised by the Board of Governors and”
16 each place such term appears;

17 (B) by striking “nonbank financial com-
18 pany supervised by the Board of Governors
19 and” each place such term appears;

20 (C) in subsection (a), by amending para-
21 graph (2) to read as follows:

22 “(2) TAILORED APPLICATION.—In prescribing
23 more stringent prudential standards under this sec-
24 tion, the Board of Governors may differentiate
25 among companies on an individual basis or by cat-
26 egory, taking into consideration their capital struc-

1 ture, riskiness, complexity, financial activities (in-
2 cluding the financial activities of their subsidiaries),
3 size, and any other risk-related factors that the
4 Board of Governors deems appropriate.”;

5 (D) in subsection (b)—

6 (i) in paragraph (1)(B)(iv), by strik-
7 ing “, on its own or pursuant to a rec-
8 ommendation made by the Council in ac-
9 cordance with section 115,”;

10 (ii) in paragraph (2)—

11 (I) by striking “foreign nonbank
12 financial company supervised by the
13 Board of Governors or”;

14 (II) by striking “shall—” and all
15 that follows through “give due” and
16 inserting “shall give due”;

17 (III) in subparagraph (A), by
18 striking “; and” and inserting a pe-
19 riod; and

20 (IV) by striking subparagraph
21 (B);

22 (iii) in paragraph (3)—

23 (I) in subparagraph (A)—

24 (aa) by striking clause (i);

1 (bb) by redesignating
2 clauses (ii), (iii), and (iv) as
3 clauses (i), (ii), and (iii), respec-
4 tively; and

5 (cc) in clause (iii), as so re-
6 designated, by adding “and” at
7 the end;

8 (II) by striking subparagraphs
9 (B) and (C); and

10 (III) by redesignating subpara-
11 graph (D) as subparagraph (B); and

12 (iv) in paragraph (4), by striking “a
13 nonbank financial company supervised by
14 the Board of Governors or”;

15 (E) in subsection (c)—

16 (i) in paragraph (1), by striking
17 “under section 115(c)”; and

18 (ii) in paragraph (2)—

19 (I) by amending subparagraph
20 (A) to read as follows:

21 “(A) any recommendations of the Coun-
22 cil;”; and

23 (II) in subparagraph (D), by
24 striking “nonbank financial company

1 supervised by the Board of Governors
2 or”;

3 (F) in subsection (d)—

4 (i) by striking “a nonbank financial
5 company supervised by the Board of Gov-
6 ernors or” each place such term appears;

7 (ii) in paragraph (1), by striking “pe-
8 riodically” and inserting “not more often
9 than every 2 years”;

10 (iii) in paragraph (3)—

11 (I) by striking “The Board” and
12 inserting the following:

13 “(A) IN GENERAL.—The Board”;

14 (II) by striking “shall review”
15 and inserting the following: “shall—
16 “(i) review”;

17 (III) by striking the period and
18 inserting “; and”; and

19 (IV) by adding at the end the fol-
20 lowing:

21 “(ii) not later than the end of the 6-
22 month period beginning on the date the
23 bank holding company submits the resolu-
24 tion plan, provide feedback to the bank
25 holding company on such plan.

1 “(B) DISCLOSURE OF ASSESSMENT
2 FRAMEWORK.—The Board of Governors shall
3 publicly disclose, including on the website of the
4 Board of Governors, the assessment framework
5 that is used to review information under this
6 paragraph and shall provide the public with a
7 notice and comment period before finalizing
8 such assessment framework.”.

9 (iv) in paragraph (6), by striking
10 “nonbank financial company supervised by
11 the Board, any bank holding company,”
12 and inserting “bank holding company”;

13 (G) in subsection (e)—

14 (i) in paragraph (1), by striking “a
15 nonbank financial company supervised by
16 the Board of Governors or”;

17 (ii) in paragraph (3), by striking “the
18 nonbank financial company supervised by
19 the Board of Governors or” each place
20 such term appears; and

21 (iii) in paragraph (4), by striking “a
22 nonbank financial company supervised by
23 the Board of Governors or”;

1 (H) in subsection (g)(1), by striking “and
2 any nonbank financial company supervised by
3 the Board of Governors”;

4 (I) in subsection (h)—

5 (i) by striking paragraph (1);

6 (ii) by redesignating paragraphs (2),
7 (3), and (4) as paragraphs (1), (2), and
8 (3), respectively;

9 (iii) in paragraph (1), as so redesign-
10 nated, by striking “paragraph (3)” each
11 place such term appears and inserting
12 “paragraph (2)”; and

13 (iv) in paragraph (2), as so redesign-
14 nated—

15 (I) in subparagraph (A), by strik-
16 ing “the nonbank financial company
17 supervised by the Board of Governors
18 or bank holding company described in
19 subsection (a), as applicable” and in-
20 serting “a bank holding company de-
21 scribed in subsection (a)”; and

22 (II) in subparagraph (B), by
23 striking “the nonbank financial com-
24 pany supervised by the Board of Gov-
25 ernors or a bank holding company de-

1 scribed in subsection (a), as applica-
2 ble” and inserting “a bank holding
3 company described in subsection (a)”;

4 (J) in subsection (i)—

5 (i) in paragraph (1)—

6 (I) in subparagraph (A), by strik-
7 ing “, in coordination with the appro-
8 priate primary financial regulatory
9 agencies and the Federal Insurance
10 Office,”;

11 (II) in subparagraph (B)—

12 (aa) by amending clause (i)
13 to read as follows:

14 “(i) shall—

15 “(I) issue regulations, after pro-
16 viding for public notice and comment,
17 that provide for at least 3 different
18 sets of conditions under which the
19 evaluation required by this subsection
20 shall be conducted, including baseline,
21 adverse, and severely adverse, and
22 methodologies, including models used
23 to estimate losses on certain assets,
24 and the Board of Governors shall not
25 carry out any such evaluation until 60

1 days after such regulations are issued;
2 and

3 “(II) provide copies of such regu-
4 lations to the Comptroller General of
5 the United States and the Panel of
6 Economic Advisors of the Congres-
7 sional Budget Office before publishing
8 such regulations;”;

9 (bb) in clause (ii), by strik-
10 ing “and nonbank financial com-
11 panies”;

12 (cc) in clause (iv), by strik-
13 ing “and” at the end;

14 (dd) in clause (v), by strik-
15 ing the period and inserting the
16 following: “, including any results
17 of a resubmitted test;”;

18 (ee) by adding at the end
19 the following:

20 “(vi) shall, in establishing the severely
21 adverse condition under clause (i), provide
22 detailed consideration of the model’s ef-
23 fects on financial stability and the cost and
24 availability of credit;

1 “(vii) shall, in developing the models
2 and methodologies and providing them for
3 notice and comment under this subpara-
4 graph, publish a process to test the models
5 and methodologies for their potential to
6 magnify systemic and institutional risks in-
7 stead of facilitating increased resiliency;

8 “(viii) shall design and publish a proc-
9 ess to test and document the sensitivity
10 and uncertainty associated with the model
11 system’s data quality, specifications, and
12 assumptions; and

13 “(ix) shall communicate the range and
14 sources of uncertainty surrounding the
15 models and methodologies.”; and

16 (III) by adding at the end the
17 following:

18 “(C) CCAR REQUIREMENTS.—

19 “(i) PARAMETERS AND CON-
20 SEQUENCES APPLICABLE TO CCAR.—The
21 requirements of subparagraph (B) shall
22 apply to CCAR.

23 “(ii) TWO-YEAR LIMITATION.—The
24 Board of Governors may not subject a

1 company to CCAR more than once every
2 two years.

3 “(iii) MID-CYCLE RESUBMISSION.—If
4 a company receives a quantitative objection
5 to, or otherwise desires to amend the com-
6 pany’s capital plan, the company may file
7 a new streamlined plan at any time after
8 a capital planning exercise has been com-
9 pleted and before a subsequent capital
10 planning exercise.

11 “(iv) LIMITATION ON QUALITATIVE
12 CAPITAL PLANNING OBJECTIONS.—In car-
13 rying out CCAR, the Board of Governors
14 may not object to a company’s capital plan
15 on the basis of qualitative deficiencies in
16 the company’s capital planning process.

17 “(v) COMPANY INQUIRIES.—The
18 Board of Governors shall establish and
19 publish procedures for responding to in-
20 quiries from companies subject to CCAR,
21 including establishing the time frame in
22 which such responses will be made, and
23 make such procedures publicly available.

24 “(vi) CCAR DEFINED.—For purposes
25 of this subparagraph and subparagraph

1 (E), the term ‘CCAR’ means the Com-
2 prehensive Capital Analysis and Review es-
3 tablished by the Board of Governors.”;

4 (ii) in paragraph (2)—

5 (I) in subparagraph (A)—

6 (aa) by striking “a bank
7 holding company” and inserting
8 “bank holding company”;

9 (bb) by striking “semi-
10 annual” and inserting “annual”;

11 (cc) by striking “All other
12 financial companies” and insert-
13 ing “All other bank holding com-
14 panies”; and

15 (dd) by striking “and are
16 regulated by a primary Federal
17 financial regulatory agency”;

18 (II) in subparagraph (B)—

19 (aa) by striking “and to its
20 primary financial regulatory
21 agency”; and

22 (bb) by striking “primary fi-
23 nancial regulatory agency” the
24 second time it appears and in-

1 serting “Board of Governors”;
2 and

3 (III) in subparagraph (C)—

4 (aa) by striking “Each Fed-
5 eral primary financial regulatory
6 agency, in coordination with the
7 Board of Governors and the Fed-
8 eral Insurance Office,” and in-
9 serting “The Board of Gov-
10 ernors”; and

11 (bb) by striking “consistent
12 and comparable”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(3) ACCOUNTABILITY AND APPROPRIATENESS
16 IN BANK HOLDING COMPANY STRESS TESTS.—

17 “(A) QUALITY AND ACCOUNTABILITY AS-
18 SURANCE.—No annual test or exercise con-
19 ducted by the Board of Governors under this
20 subsection or any other provision of law shall
21 serve as a basis for restricting a capital dis-
22 tribution by a bank holding company unless the
23 Board of Governor’s Vice Chair for Supervision
24 certifies in writing to the Congress that any
25 model or combination of models used therein

1 are demonstrably more accurate than any simi-
2 lar model or combination of models utilized by
3 the bank holding company in a stress test con-
4 ducted under paragraph (2).

5 “(B) PROCESS.—Any action taken by the
6 Board of Governors to restrict a capital dis-
7 tribution by a bank holding company on the
8 basis of a stress test or exercise conducted by
9 the Board of Governors under this subsection
10 or any other provision of law shall be conducted
11 pursuant to a capital directive subject to, and
12 issued in accordance with, section 908(b)(2) of
13 the International Lending Supervision Act of
14 1983 (12 U.S.C. 3907(b)(2).”;

15 (K) in subsection (j)—

16 (i) in paragraph (1), by striking “or a
17 nonbank financial company supervised by
18 the Board of Governors”; and

19 (ii) in paragraph (2), by striking “the
20 factors described in subsections (a) and (b)
21 of section 113 and any other” and insert-
22 ing “any”; and

23 (L) in subsection (k)(1), by striking “or
24 nonbank financial company supervised by the
25 Board of Governors”.

1 (c) TREATMENT OF OTHER RESOLUTION PLAN RE-
2 QUIREMENTS.—

3 (1) IN GENERAL.—With respect to an appro-
4 priate Federal banking agency that requires a bank-
5 ing organization to submit to the agency a resolution
6 plan not described under section 165(d) of the
7 Dodd-Frank Wall Street Reform and Consumer Pro-
8 tection Act—

9 (A) the agency shall comply with the re-
10 quirements of paragraphs (3) and (4) of such
11 section 165(d);

12 (B) the agency may not require the sub-
13 mission of such a resolution plan more often
14 than every 2 years; and

15 (C) paragraphs (6) and (7) of such section
16 165(d) shall apply to such a resolution plan.

17 (2) DEFINITIONS.—For purposes of this sub-
18 section, the terms “appropriate Federal banking
19 agency” and “banking organization” have the mean-
20 ing given those terms, respectively, under section
21 105.

22 (d) ACTIONS TO CREATE A BANK HOLDING COM-
23 PANY.—Section 3(b)(1) of the Bank Holding Company
24 Act of 1956 (12 U.S.C. 1842(b)(1)) is amended—

1 (1) by striking “Upon receiving” and inserting
2 the following:

3 “(A) IN GENERAL.—Upon receiving”;

4 (2) by striking “Notwithstanding any other pro-
5 vision” and inserting the following:

6 “(B) IMMEDIATE ACTION.—

7 “(i) IN GENERAL.—Notwithstanding
8 any other provision”; and

9 (3) by adding at the end the following:

10 “(ii) EXCEPTION.—The Board may
11 not take any action pursuant to clause (i)
12 on an application that would cause any
13 company to become a bank holding com-
14 pany unless such application involves the
15 company acquiring a bank that is critically
16 undercapitalized (as such term is defined
17 under section 38(b) of the Federal Deposit
18 Insurance Act).”.

19 (e) CONCENTRATION LIMITS APPLIED ONLY TO
20 BANKING ORGANIZATIONS.—Section 14 of the Bank
21 Holding Company Act of 1956 (12 U.S.C. 1852) is
22 amended—

23 (1) by striking “financial company” each place
24 such term appears and inserting “banking organiza-
25 tion”;

1 (2) in subsection (a)—

2 (A) by amending paragraph (2) to read as
3 follows:

4 “(2) the term ‘banking organization’ means—

5 “(A) an insured depository institution;

6 “(B) a bank holding company;

7 “(C) a savings and loan holding company;

8 “(D) a company that controls an insured
9 depository institution; and

10 “(E) a foreign bank or company that is
11 treated as a bank holding company for purposes
12 of this Act; and”;

13 (B) in paragraph (3)—

14 (i) in subparagraph (A)(ii), by adding
15 “and” at the end;

16 (ii) in subparagraph (B)(ii), by strik-
17 ing “; and” and inserting a period; and

18 (iii) by striking subparagraph (C);

19 and

20 (3) in subsection (b), by striking “financial
21 companies” and inserting “banking organizations”.

22 (f) CONFORMING AMENDMENT.—Section 3502(5) of
23 title 44, United States Code, is amended by striking “the
24 Office of Financial Research,”.

1 (g) CLERICAL AMENDMENT.—The table of contents
2 under section 1(b) of the Dodd-Frank Wall Street Reform
3 and Consumer Protection Act is amended by striking the
4 items relating to subtitle B of title I and 113, 114, 115,
5 116, 117, 119, 120, 121, 161, 162, 164, 166, 167, 168,
6 170, 172, 174, and 175.

7 BRINGING THE FEDERAL DEPOSIT INSURANCE
8 CORPORATION INTO THE APPROPRIATIONS PROCESS
9 SEC. 904.

10 (a) IN GENERAL.—Section 10(a) of the Federal De-
11 posit Insurance Act (12 U.S.C. 1820(a)) is amended—

12 (1) by striking “(a) The” and inserting the fol-
13 lowing:

14 “(a) POWERS.—

15 “(1) IN GENERAL.—The”;

16 (2) by inserting “, subject to paragraph (2),”
17 after “The Board of Directors of the Corporation”;
18 and

19 (3) by adding at the end the following new
20 paragraph:

21 “(2) APPROPRIATIONS REQUIREMENT.—Except
22 as provided under paragraph (3), the Corporation
23 may, only to the extent as provided in advance by
24 appropriations Acts, cover the costs incurred in car-
25 rying out the provisions of this Act, including with
26 respect to the administrative costs of the Corpora-

1 tion and the costs of the examination and super-
2 vision of insured depository institutions.

3 “(3) EXCEPTION FOR CERTAIN PROGRAMS.—
4 Paragraph (2) shall not apply to the Corporation’s
5 Insurance Business Line Programs and Receivership
6 Management Business Line Programs, as in exist-
7 ence on the date of enactment of this paragraph,
8 and the proportion of the administrative costs of the
9 Corporation related to such programs.”.

10 (b) EXAMINATION FEES.—Section 10(e)(1) of the
11 Federal Deposit Insurance Act (12 U.S.C. 1820(e)(1)) is
12 amended by striking “to meet the expenses of the Cor-
13 poration in carrying out such examinations” and inserting
14 “and may be expended by the Board only to the extent
15 as provided in advance by appropriations Acts to cover the
16 costs incurred in carrying out such examinations”.

17 (c) OFFSET OF ADDITIONAL FEES.—The Federal
18 Deposit Insurance Corporation shall reduce the amount
19 of insurance premiums charged by the Corporation under
20 the Federal Deposit Insurance Act in an amount equal
21 to any additional fees charged by the Corporation by rea-
22 son of the amendments made by this section.

23 (d) EFFECTIVE DATE.—The amendments made by
24 this section shall apply with respect to expenses paid and
25 fees collected on or after October 1, 2018.

1 BRINGING THE FEDERAL HOUSING FINANCE AGENCY
2 INTO THE APPROPRIATIONS PROCESS
3 SEC. 905.

4 (a) IN GENERAL.—Section 1316 of the Housing and
5 Community Development Act of 1992 (12 U.S.C. 4516)
6 is amended—

7 (1) by amending subsection (a) to read as fol-
8 lows:

9 “(a) APPROPRIATIONS REQUIREMENT.—

10 “(1) RECOVERY OF COSTS OF ANNUAL APPRO-
11 PRIATION.—The Agency shall collect assessments
12 and other fees that are designed to recover the costs
13 to the Government of the annual appropriation to
14 the Agency by Congress.

15 “(2) OFFSETTING COLLECTIONS.—Assessments
16 and other fees described under paragraph (1) for
17 any fiscal year—

18 “(A) shall be deposited and credited as off-
19 setting collections to the account providing ap-
20 propriations to the Agency; and

21 “(B) shall not be collected for any fiscal
22 year except to the extent provided in advance in
23 appropriation Acts.”; and

24 (2) by striking subsection (f).

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to expenses paid and
3 assessments and other fees collected on or after October
4 1, 2018.

5 BRINGING THE EXAMINATION AND SUPERVISION FUNC-
6 TIONS OF THE NATIONAL CREDIT UNION ADMINIS-
7 TRATION INTO THE APPROPRIATIONS PROCESS
8 SEC. 906.

9 (a) OPERATING FEES.—Section 105(d) of the Fed-
10 eral Credit Union Act (12 U.S.C. 1755(d)) is amended—

11 (1) by striking “All” and inserting “(1) All”;

12 (2) by striking “for the account of the Adminis-
13 tration and may be expended by the Board to defray
14 the expenses incurred in carrying out the provisions
15 of this Act including the examination and super-
16 vision of Federal credit unions” and inserting “and
17 may be expended by the Board only to the extent as
18 provided in advance by appropriations Acts, to cover
19 the costs incurred in carrying out the provisions of
20 this Act with respect to the costs of the examination
21 and supervision of Federal credit unions and the
22 proportion of the administrative costs of the Board
23 related to the examination and supervision of Fed-
24 eral credit unions”; and

25 (3) by adding at the end the following:

1 “(2)(A) The Board may only use amounts in the
2 NCUA Operating Fund to the extent as provided in ad-
3 vance by appropriations Acts, including to pay for the
4 costs incurred by the Board in carrying out the examina-
5 tion and supervision of Federal credit unions and the pro-
6 portion of the administrative costs of the Board related
7 to the examination and supervision of Federal credit
8 unions.

9 “(B) Subparagraph (A) shall not apply to the
10 Board’s activities carried out pursuant to title II.”.

11 (b) STAFF FUNDING.—Section 120(j)(3) of the Fed-
12 eral Credit Union Act (12 U.S.C. 1766(j)(3)) is amend-
13 ed—

14 (1) by inserting “related to the examination
15 and supervision of Federal credit unions under this
16 Act and the proportion of the administrative costs of
17 the Board related to the examination and super-
18 vision of Federal credit unions under this Act” be-
19 fore “shall be paid”; and

20 (2) by striking “insured credit unions under
21 this Act” and inserting “Federal credit unions under
22 this title, only to the extent as provided in advance
23 by appropriations Acts”.

1 (c) USE OF DEPOSIT FUNDS.—Section
2 202(c)(1)(B)(iv) of the Federal Credit Union Act (12
3 U.S.C. 1782(c)(1)(B)(iv)) is amended—

4 (1) by striking “The” and inserting “To the ex-
5 tent provided for in advance by appropriations Acts,
6 the”; and

7 (2) by adding at the end the following new sen-
8 tence: “This clause shall not apply to the Board’s
9 activities carried out pursuant to this title.”.

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall apply with respect to expenses paid and
12 fees collected on or after October 1, 2018.

13 BRINGING THE OFFICE OF THE COMPTROLLER OF THE
14 CURRENCY INTO THE APPROPRIATIONS PROCESS
15 SEC. 907.

16 (a) IN GENERAL.—Section 5240A of the Revised
17 Statutes of the United States (12 U.S.C. 16) is amend-
18 ed—

19 (1) by striking “Sec. 5240A. The Comptroller
20 of the Currency may collect an assessment, fee, or
21 other charge from any entity described in section
22 3(q)(1) of the Federal Deposit Insurance Act (12
23 U.S.C. 1813(q)(1)), as the Comptroller determines
24 is necessary or appropriate to carry out the respon-
25 sibilities of the Office of the Comptroller of the Cur-
26 rency. In establishing the amount of an assessment,

1 fee, or charge collected from an entity under this
2 section,” and inserting the following:

3 **“SEC. 5240A. COLLECTION OF FEES; APPROPRIATIONS RE-**
4 **QUIREMENT.**

5 “(a) IN GENERAL.—In establishing the amount of an
6 assessment, fee, or charge collected from an entity under
7 subsection (b),”;

8 (2) by striking “Funds derived” and all that
9 follows through the end of the section; and

10 (3) by adding at the end the following:

11 “(b) APPROPRIATIONS REQUIREMENT.—

12 “(1) RECOVERY OF COSTS OF ANNUAL APPRO-
13 PRIATION.—The Comptroller of the Currency shall
14 impose and collect assessments, fees, or other
15 charges that are designed to recover the costs to the
16 Government of the annual appropriation to the Of-
17 fice of the Comptroller of the Currency by Congress.

18 “(2) OFFSETTING COLLECTIONS.—Assessments
19 and other fees described under paragraph (1) for
20 any fiscal year—

21 “(A) shall be deposited and credited as off-
22 setting collections to the account providing ap-
23 propriations to the Office of the Comptroller of
24 the Currency; and

1 “(B) shall not be collected for any fiscal
2 year except to the extent provided in advance in
3 appropriation Acts.”.

4 (b) CONFORMING AMENDMENT.—Section 5240 (12
5 U.S.C. 481 et seq.) of the Revised Statutes of the United
6 States is amended by striking the fourth undesignated
7 paragraph.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall apply with respect to expenses paid and
10 fees collected on or after October 1, 2018.

11 BRINGING THE NON-MONETARY POLICY RELATED FUNC-
12 TIONS OF THE BOARD OF GOVERNORS OF THE FED-
13 ERAL RESERVE SYSTEM INTO THE APPROPRIATIONS
14 PROCESS
15 SEC. 908.

16 (a) IN GENERAL.—The Federal Reserve Act is
17 amended by inserting after section 11B the following:

18 **“SEC. 11C. APPROPRIATIONS REQUIREMENT FOR NON-**
19 **MONETARY POLICY RELATED ADMINISTRA-**
20 **TIVE COSTS.**

21 “(a) APPROPRIATIONS REQUIREMENT.—

22 “(1) RECOVERY OF COSTS OF ANNUAL APPRO-
23 PRIATION.—The Board of Governors of the Federal
24 Reserve System and the Federal reserve banks shall
25 collect assessments and other fees, as provided under
26 this Act, that are designed to recover the costs to

1 the Government of the annual appropriation to the
2 Board of Governors of the Federal Reserve System
3 by Congress. The Board of Governors of the Federal
4 Reserve System and the Federal reserve banks may
5 only incur obligations or allow and pay expenses
6 with respect to non-monetary policy related adminis-
7 trative costs pursuant to an appropriations Act.

8 “(2) OFFSETTING COLLECTIONS.—Assessments
9 and other fees described under paragraph (1) for
10 any fiscal year—

11 “(A) shall be deposited and credited as off-
12 setting collections to the account providing ap-
13 propriations to the Board of Governors of the
14 Federal Reserve System; and

15 “(B) shall not be collected for any fiscal
16 year except to the extent provided in advance in
17 appropriation Acts.

18 “(3) LIMITATION.—This subsection shall only
19 apply to the non-monetary policy related administra-
20 tive costs of the Board of Governors of the Federal
21 Reserve System.

22 “(b) DEFINITIONS.—For purposes of this section:

23 “(1) MONETARY POLICY.—The term ‘monetary
24 policy’ means a strategy for producing a generally
25 acceptable exchange medium that supports the pro-

1 ductive employment of economic resources by reli-
2 ably serving as both a unit of account and store of
3 value.

4 “(2) NON-MONETARY POLICY RELATED ADMIN-
5 ISTRATIVE COSTS.—The term ‘non-monetary policy
6 related administrative costs’ means administrative
7 costs not related to the conduct of monetary policy,
8 and includes—

9 “(A) direct operating expenses for super-
10 vising and regulating entities supervised and
11 regulated by the Board of Governors of the
12 Federal Reserve System, including conducting
13 examinations, conducting stress tests, commu-
14 nicating with the entities regarding supervisory
15 matters and laws, and regulations;

16 “(B) operating expenses for activities inte-
17 gral to carrying out supervisory and regulatory
18 responsibilities, such as training staff in the su-
19 pervisory function, research and analysis func-
20 tions including library subscription services, and
21 collecting and processing regulatory reports
22 filed by supervised institutions; and

23 “(C) support, overhead, and pension ex-
24 penses related to the items described under sub-
25 paragraphs (A) and (B).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to expenses paid and
3 fees collected on or after October 1, 2018.

4 INCREASED THRESHOLD FOR DISCLOSURES RELATING TO
5 COMPENSATORY BENEFIT PLANS

6 SEC. 909.

7 Not later than 60 days after the date of the enact-
8 ment of this Act, the Securities and Exchange Commission
9 shall revise section 230.701(e) of title 17, Code of Federal
10 Regulations, so as to increase from \$5,000,000 to
11 \$20,000,000 the aggregate sales price or amount of secu-
12 rities sold during any consecutive 12-month period in ex-
13 cess of which the issuer is required under such section to
14 deliver an additional disclosure to investors. The Commis-
15 sion shall index for inflation such aggregate sales price
16 or amount every 5 years to reflect the change in the Con-
17 sumer Price Index for All Urban Consumers published by
18 the Bureau of Labor Statistics, rounding to the nearest
19 \$1,000,000.

20 REFUNDING OR CREDITING OVERPAYMENT OF SECTION

21 31 FEES

22 SEC. 910.

23 (a) IN GENERAL.—Section 31 of the Securities Ex-
24 change Act of 1934 (15 U.S.C. 78ee) is amended by add-
25 ing at the end the following:

1 “(n) OVERPAYMENT.—If a national securities ex-
2 change or national securities association pays to the Com-
3 mission an amount in excess of fees and assessments due
4 under this section and informs the Commission of such
5 amount paid in excess within 10 years of the date of the
6 payment, the Commission shall offset future fees and as-
7 sessments due by such exchange or association in an
8 amount equal to such excess amount.”.

9 (b) APPLICABILITY.—The amendment made by this
10 section shall apply to any fees and assessments paid be-
11 fore, on, or after the date of enactment of this section.

12 SAFE HARBOR FOR INVESTMENT FUND RESEARCH

13 SEC. 911.

14 (a) EXPANSION OF THE SAFE HARBOR.—Not later
15 than the end of the 45-day period beginning on the date
16 of enactment of this Act, the Securities and Exchange
17 Commission shall propose, and not later than the end of
18 the 120-day period beginning on such date, the Commis-
19 sion shall adopt, upon such terms, conditions, or require-
20 ments as the Commission may determine necessary or ap-
21 propriate in the public interest, for the protection of inves-
22 tors, and for the promotion of capital formation, revisions
23 to section 230.139 of title 17, Code of Federal Regula-
24 tions, to provide that a covered investment fund research
25 report that is published or distributed by a broker or deal-
26 er—

1 (1) shall be deemed, for purposes of sections
2 2(a)(10) and 5(c) of the Securities Act of 1933 (15
3 U.S.C. 77b(a)(10), 77e(c)), not to constitute an
4 offer for sale or an offer to sell a security that is the
5 subject of an offering pursuant to a registration
6 statement that is effective, even if the broker or
7 dealer is participating or will participate in the reg-
8 istered offering of the covered investment fund's se-
9 curities; and

10 (2) shall be deemed to satisfy the conditions of
11 subsection (a)(1) or (a)(2) of section 230.139 of title
12 17, Code of Federal Regulations, or any successor
13 provisions, for purposes of the Commission's rules
14 and regulations under the Federal securities laws
15 and the rules of any self-regulatory organization.

16 (b) IMPLEMENTATION OF SAFE HARBOR.—In imple-
17 menting the safe harbor pursuant to subsection (a), the
18 Commission shall—

19 (1) not, in the case of a covered investment
20 fund with a class of securities in substantially con-
21 tinuous distribution, condition the safe harbor on
22 whether the broker's or dealer's publication or dis-
23 tribution of a covered investment fund research re-
24 port constitutes such broker's or dealer's initiation

1 or reinitiation of research coverage on such covered
2 investment fund or its securities;

3 (2) not—

4 (A) require the covered investment fund to
5 have been registered as an investment company
6 under the Investment Company Act of 1940
7 (15 U.S.C. 80a–1 et seq.) or subject to the re-
8 porting requirements of section 13 or 15(d) of
9 the Securities Exchange Act of 1934 (15
10 U.S.C. 78m, 78o(d)) for any period exceeding
11 the period of time referenced under paragraph
12 (a)(1)(i)(A)(1) of section 230.139 of title 17,
13 Code of Federal Regulations; or

14 (B) impose a minimum float provision ex-
15 ceeding that referenced in paragraph
16 (a)(1)(i)(A)(1)(i) of section 230.139 of title 17,
17 Code of Federal Regulations;

18 (3) provide that a self-regulatory organization
19 may not maintain or enforce any rule that would—

20 (A) prohibit the ability of a member to
21 publish or distribute a covered investment fund
22 research report solely because the member is
23 also participating in a registered offering or
24 other distribution of any securities of such cov-
25 ered investment fund; or

1 (B) prohibit the ability of a member to
2 participate in a registered offering or other dis-
3 tribution of securities of a covered investment
4 fund solely because the member has published
5 or distributed a covered investment fund re-
6 search report about such covered investment
7 fund or its securities; and

8 (4) provide that a covered investment fund re-
9 search report shall not be subject to section 24(b) of
10 the Investment Company Act of 1940 (15 U.S.C.
11 80a–24(b)) or the rules and regulations thereunder,
12 except that such report may still be subject to such
13 section and the rules and regulations thereunder to
14 the extent that it is otherwise not subject to the con-
15 tent standards in the rules of any self-regulatory or-
16 ganization related to research reports, including
17 those contained in the rules governing communica-
18 tions with the public regarding investment compa-
19 nies or substantially similar standards.

20 (c) RULES OF CONSTRUCTION.—Nothing in this Act
21 shall be construed as in any way limiting—

22 (1) the applicability of the antifraud or
23 antimanipulation provisions of the Federal securities
24 laws and rules adopted thereunder to a covered in-
25 vestment fund research report, including section 17

1 of the Securities Act of 1933 (15 U.S.C. 77q), sec-
2 tion 34(b) of the Investment Company Act of 1940
3 (15 U.S.C. 80a–33), and sections 9 and 10 of the
4 Securities Exchange Act of 1934 (15 U.S.C. 78i,
5 78j); or

6 (2) the authority of any self-regulatory organi-
7 zation to examine or supervise a member’s practices
8 in connection with such member’s publication or dis-
9 tribution of a covered investment fund research re-
10 port for compliance with applicable provisions of the
11 Federal securities laws or self-regulatory organiza-
12 tion rules related to research reports, including those
13 contained in rules governing communications with
14 the public.

15 (d) INTERIM EFFECTIVENESS OF SAFE HARBOR.—

16 (1) IN GENERAL.—From and after the 120-day
17 period beginning on the date of enactment of this
18 Act, if the Commission has not adopted revisions to
19 section 230.139 of title 17, Code of Federal Regula-
20 tions, as required by subsection (a), and until such
21 time as the Commission has done so, a broker or
22 dealer distributing or publishing a covered invest-
23 ment fund research report after such date shall be
24 able to rely on the provisions of section 230.139 of
25 title 17, Code of Federal Regulations, and the

1 broker or dealer's publication of such report shall be
2 deemed to satisfy the conditions of subsection (a)(1)
3 or (a)(2) of section 230.139 of title 17, Code of Fed-
4 eral Regulations, if the covered investment fund that
5 is the subject of such report satisfies the reporting
6 history requirements (without regard to Form S-3
7 or Form F-3 eligibility) and minimum float provi-
8 sions of such subsections for purposes of the Com-
9 mission's rules and regulations under the Federal
10 securities laws and the rules of any self-regulatory
11 organization, as if revised and implemented in ac-
12 cordance with subsections (a) and (b).

13 (2) STATUS OF COVERED INVESTMENT FUND.—
14 After such period and until the Commission has
15 adopted revisions to section 230.139 and FINRA
16 has revised rule 2210, for purposes of subsection
17 (c)(7)(O) of such rule, a covered investment fund
18 shall be deemed to be a security that is listed on a
19 national securities exchange and that is not subject
20 to section 24(b) of the Investment Company Act of
21 1940 (15 U.S.C. 80a-24(b)). Communications con-
22 cerning only covered investment funds that fall with-
23 in the scope of such section shall not be required to
24 be filed with FINRA.

25 (e) DEFINITIONS.—For purposes of this section:

1 (1) The term “covered investment fund re-
2 search report” means a research report published or
3 distributed by a broker or dealer about a covered in-
4 vestment fund or any securities issued by the cov-
5 ered investment fund, but not including a research
6 report to the extent that it is published or distrib-
7 uted by the covered investment fund or any affiliate
8 of the covered investment fund.

9 (2) The term “covered investment fund”
10 means—

11 (A) an investment company registered
12 under, or that has filed an election to be treated
13 as a business development company under, the
14 Investment Company Act of 1940 and that has
15 filed a registration statement under the Securi-
16 ties Act of 1933 for the public offering of a
17 class of its securities, which registration state-
18 ment has been declared effective by the Com-
19 mission; and

20 (B) a trust or other person—

21 (i) issuing securities in an offering
22 registered under the Securities Act of 1933
23 and which class of securities is listed for
24 trading on a national securities exchange;

1 (ii) the assets of which consist pri-
2 marily of commodities, currencies, or deriv-
3 ative instruments that reference commod-
4 ities or currencies, or interests in the fore-
5 going; and

6 (iii) that provides in its registration
7 statement under the Securities Act of 1933
8 that a class of its securities are purchased
9 or redeemed, subject to conditions or limi-
10 tations, for a ratable share of its assets.

11 (3) The term “FINRA” means the Financial
12 Industry Regulatory Authority.

13 (4) The term “research report” has the mean-
14 ing given that term under section 2(a)(3) of the Se-
15 curities Act of 1933 (15 U.S.C. 77b(a)(3)), except
16 that such term shall not include an oral communica-
17 tion.

18 (5) The term “self-regulatory organization” has
19 the meaning given to that term under section
20 3(a)(26) of the Securities Exchange Act of 1934 (15
21 U.S.C. 78c(a)(26)).

22 ANNUAL REVIEW OF GOVERNMENT-BUSINESS FORUM ON
23 CAPITAL FORMATION
24 SEC. 912.

1 Section 503 of the Small Business Investment Incen-
2 tive Act of 1980 (15 U.S.C. 80c–1) is amended by adding
3 at the end the following:

4 “(e) The Commission shall—

5 “(1) review the findings and recommendations
6 of the forum; and

7 “(2) each time the forum submits a finding or
8 recommendation to the Commission, promptly issue
9 a public statement—

10 “(A) assessing the finding or recommenda-
11 tion of the forum; and

12 “(B) disclosing the action, if any, the Com-
13 mission intends to take with respect to the find-
14 ing or recommendation.”.

15 HELPING ANGLES LEAD OUR STARTUPS

16 SEC. 913.

17 (a) DEFINITION OF ANGEL INVESTOR GROUP.—As
18 used in this subtitle, the term “angel investor group”
19 means any group that—

20 (1) is composed of accredited investors inter-
21 ested in investing personal capital in early-stage
22 companies;

23 (2) holds regular meetings and has defined
24 processes and procedures for making investment de-
25 cisions, either individually or among the membership
26 of the group as a whole; and

1 (3) is neither associated nor affiliated with bro-
2 kers, dealers, or investment advisers.

3 (b) CLARIFICATION OF GENERAL SOLICITATION.—

4 (1) IN GENERAL.—Not later than 6 months
5 after the date of enactment of this Act, the Securi-
6 ties and Exchange Commission shall revise Regula-
7 tion D of its rules (17 CFR 230.500 et seq.) to re-
8 quire that in carrying out the prohibition against
9 general solicitation or general advertising contained
10 in section 230.502(c) of title 17, Code of Federal
11 Regulations, the prohibition shall not apply to a
12 presentation or other communication made by or on
13 behalf of an issuer which is made at an event—

14 (A) sponsored by—

15 (i) the United States or any territory
16 thereof, by the District of Columbia, by
17 any State, by a political subdivision of any
18 State or territory, or by any agency or
19 public instrumentality of any of the fore-
20 going;

21 (ii) a college, university, or other in-
22 stitution of higher education;

23 (iii) a nonprofit organization;

24 (iv) an angel investor group;

1 (v) a venture forum, venture capital
2 association, or trade association; or

3 (vi) any other group, person or entity
4 as the Securities and Exchange Commis-
5 sion may determine by rule;

6 (B) where any advertising for the event
7 does not reference any specific offering of secu-
8 rities by the issuer;

9 (C) the sponsor of which—

10 (i) does not make investment rec-
11 ommendations or provide investment ad-
12 vice to event attendees;

13 (ii) does not engage in an active role
14 in any investment negotiations between the
15 issuer and investors attending the event;

16 (iii) does not charge event attendees
17 any fees other than administrative fees;
18 and

19 (iv) does not receive any compensation
20 with respect to such event that would re-
21 quire registration of the sponsor as a
22 broker or a dealer under the Securities Ex-
23 change Act of 1934, or as an investment
24 advisor under the Investment Advisers Act
25 of 1940; and

1 (D) where no specific information regard-
2 ing an offering of securities by the issuer is
3 communicated or distributed by or on behalf of
4 the issuer, other than—

5 (i) that the issuer is in the process of
6 offering securities or planning to offer se-
7 curities;

8 (ii) the type and amount of securities
9 being offered;

10 (iii) the amount of securities being of-
11 fered that have already been subscribed
12 for; and

13 (iv) the intended use of proceeds of
14 the offering.

15 (2) RULE OF CONSTRUCTION.—Paragraph (1)
16 may only be construed as requiring the Securities
17 and Exchange Commission to amend the require-
18 ments of Regulation D with respect to presentations
19 and communications, and not with respect to pur-
20 chases or sales.

21 INVESTOR LIMITATION FOR QUALIFYING VENTURE

22 CAPITAL FUNDS

23 SEC. 914.

24 Section 3(c)(1) of the Investment Company Act of
25 1940 (15 U.S.C. 80a-3(c)(1)) is amended—

1 (1) by inserting after “one hundred persons”
2 the following: “(or, with respect to a qualifying ven-
3 ture capital fund, 500 persons)”; and

4 (2) by adding at the end the following:

5 “(C) The term ‘qualifying venture capital
6 fund’ means any venture capital fund (as de-
7 fined pursuant to section 203(l)(1) of the In-
8 vestment Advisers Act of 1940 (15 U.S.C. 80b–
9 3(l)(1)) with no more than \$50,000,000 in ag-
10 gregate capital contributions and uncalled com-
11 mitted capital, as such dollar amount is annu-
12 ally adjusted by the Commission to reflect the
13 change in the Consumer Price Index for All
14 Urban Consumers published by the Bureau of
15 Labor Statistics of the Department of Labor.”.

16 MANUFACTURED HOUSING

17 SEC. 915.

18 (a) MORTGAGE ORIGINATOR DEFINITION.—Section
19 103 of the Truth in Lending Act (15 U.S.C. 1602) is
20 amended—

21 (1) by redesignating the second subsection (cc)
22 and subsection (dd) as subsections (dd) and (ee), re-
23 spectively; and

24 (2) in paragraph (2)(C) of subsection (dd), as
25 so redesignated, by striking “an employee of a re-
26 tailer of manufactured homes who is not described

1 in clause (i) or (iii) of subparagraph (A) and who
2 does not advise a consumer on loan terms (including
3 rates, fees, and other costs)” and inserting “a re-
4 tailer of manufactured or modular homes or its em-
5 ployees unless such retailer or its employees receive
6 compensation or gain for engaging in activities de-
7 scribed in subparagraph (A) that is in excess of any
8 compensation or gain received in a comparable cash
9 transaction”.

10 (b) HIGH-COST MORTGAGE DEFINITION.—Section
11 103 of the Truth in Lending Act (15 U.S.C. 1602), as
12 amended by subsection (a), is further amended—

13 (1) by redesignating subsection (aa) (relating to
14 disclosure of greater amount or percentage), as so
15 designated by section 1100A of the Consumer Fi-
16 nancial Protection Act of 2010, as subsection (bb);

17 (2) by redesignating subsection (bb) (relating to
18 high cost mortgages), as so designated by section
19 1100A of the Consumer Financial Protection Act of
20 2010, as subsection (aa), and moving such sub-
21 section to immediately follow subsection (z); and

22 (3) in subsection (aa)(1)(A), as so redesign-
23 nated—

24 (A) in clause (i)(I), by striking “(8.5 per-
25 centage points, if the dwelling is personal prop-

1 erty and the transaction is for less than
2 \$50,000)” and inserting “(10 percentage points
3 if the dwelling is personal property or is a
4 transaction that does not include the purchase
5 of real property on which a dwelling is to be
6 placed, and the transaction is for less than
7 \$75,000 (as such amount is adjusted by the
8 Bureau to reflect the change in the Consumer
9 Price Index))”; and

10 (B) in clause (ii)—

11 (i) in subclause (I), by striking “or”
12 at the end; and

13 (ii) by adding at the end the fol-
14 lowing:

15 “(III) in the case of a trans-
16 action for less than \$75,000 (as such
17 amount is adjusted by the Bureau to
18 reflect the change in the Consumer
19 Price Index) in which the dwelling is
20 personal property (or is a consumer
21 credit transaction that does not in-
22 clude the purchase of real property on
23 which a dwelling is to be placed) the
24 greater of 5 percent of the total trans-
25 action amount or \$3,000 (as such

1 amount is adjusted by the Bureau to
2 reflect the change in the Consumer
3 Price Index); or”.

4 REQUIREMENTS FOR DEPOSIT ACCOUNT TERMINATION

5 REQUESTS AND ORDERS

6 SEC. 916.

7 (a) TERMINATION REQUESTS OR ORDERS MUST BE
8 MATERIAL.—

9 (1) IN GENERAL.—An appropriate Federal
10 banking agency may not formally or informally re-
11 quest or order a depository institution to terminate
12 a specific customer account or group of customer ac-
13 counts or to otherwise restrict or discourage a de-
14 pository institution from entering into or maintain-
15 ing a banking relationship with a specific customer
16 or group of customers unless—

17 (A) the agency has a material reason for
18 such request or order; and

19 (B) such reason is not based solely on rep-
20 utation risk.

21 (2) TREATMENT OF NATIONAL SECURITY
22 THREATS.—If an appropriate Federal banking agen-
23 cy believes a specific customer or group of customers
24 is, or is acting as a conduit for, an entity which—

25 (A) poses a threat to national security;

26 (B) is involved in terrorist financing;

1 (C) is an agency of the government of
2 Iran, North Korea, Syria, or any country listed
3 from time to time on the State Sponsors of
4 Terrorism list;

5 (D) is located in, or is subject to the juris-
6 diction of, any country specified in subpara-
7 graph (C); or

8 (E) does business with any entity described
9 in subparagraph (C) or (D), unless the appro-
10 priate Federal banking agency determines that
11 the customer or group of customers has used
12 due diligence to avoid doing business with any
13 entity described in subparagraph (C) or (D),
14 such belief shall satisfy the requirement under para-
15 graph (1).

16 (b) NOTICE REQUIREMENT.—

17 (1) IN GENERAL.—If an appropriate Federal
18 banking agency formally or informally requests or
19 orders a depository institution to terminate a spe-
20 cific customer account or a group of customer ac-
21 counts, the agency shall—

22 (A) provide such request or order to the
23 institution in writing; and

24 (B) accompany such request or order with
25 a written justification for why such termination

1 is needed, including any specific laws or regula-
2 tions the agency believes are being violated by
3 the customer or group of customers, if any.

4 (2) JUSTIFICATION REQUIREMENT.—A jus-
5 tification described under paragraph (1)(B) may not
6 be based solely on the reputation risk to the deposi-
7 tory institution.

8 (c) CUSTOMER NOTICE.—

9 (1) NOTICE REQUIRED.—Except as provided
10 under paragraph (2), if an appropriate Federal
11 banking agency orders a depository institution to
12 terminate a specific customer account or a group of
13 customer accounts, the depository institution shall
14 inform the customer or customers of the justification
15 for the customer's account termination described
16 under subsection (b).

17 (2) NOTICE PROHIBITED IN CASES OF NA-
18 TIONAL SECURITY.—If an appropriate Federal bank-
19 ing agency requests or orders a depository institu-
20 tion to terminate a specific customer account or a
21 group of customer accounts based on a belief that
22 the customer or customers pose a threat to national
23 security, or are otherwise described under subsection
24 (a)(2), neither the depository institution nor the ap-
25 propriate Federal banking agency may inform the

1 customer or customers of the justification for the
2 customer's account termination.

3 (d) REPORTING REQUIREMENT.—Each appropriate
4 Federal banking agency shall issue an annual report to
5 the Congress stating—

6 (1) the aggregate number of specific customer
7 accounts that the agency requested or ordered a de-
8 pository institution to terminate during the previous
9 year; and

10 (2) the legal authority on which the agency re-
11 lied in making such requests and orders and the fre-
12 quency on which the agency relied on each such au-
13 thority.

14 (e) DEFINITIONS.—For purposes of this section:

15 (1) APPROPRIATE FEDERAL BANKING AGEN-
16 CY.—The term “appropriate Federal banking agen-
17 cy” means—

18 (A) the appropriate Federal banking agen-
19 cy, as defined under section 3 of the Federal
20 Deposit Insurance Act (12 U.S.C. 1813); and

21 (B) the National Credit Union Administra-
22 tion, in the case of an insured credit union.

23 (2) DEPOSITORY INSTITUTION.—The term “de-
24 pository institution” means—

1 (A) a depository institution, as defined
2 under section 3 of the Federal Deposit Insur-
3 ance Act (12 U.S.C. 1813); and

4 (B) an insured credit union.

5 AMENDMENTS TO THE FINANCIAL INSTITUTIONS

6 REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989

7 SEC. 917.

8 Section 951 of the Financial Institutions Reform, Re-
9 covery, and Enforcement Act of 1989 (12 U.S.C. 1833a)
10 is amended—

11 (1) in subsection (c)(2), by striking “affecting
12 a federally insured financial institution” and insert-
13 ing “against a federally insured financial institution
14 or by a federally insured financial institution against
15 an unaffiliated third person”; and

16 (2) in subsection (g)—

17 (A) in the heading, by striking “SUB-
18 POENAS” and inserting “INVESTIGATIONS”; and

19 (B) by amending paragraph (1)(C) to read
20 as follows:

21 “(C) summon witnesses and require the
22 production of any books, papers, correspond-
23 ence, memoranda, or other records which the
24 Attorney General deems relevant or material to
25 the inquiry, if the Attorney General—

1 “(i) requests a court order from a
2 court of competent jurisdiction for such ac-
3 tions and offers specific and articulable
4 facts showing that there are reasonable
5 grounds to believe that the information or
6 testimony sought is relevant and material
7 for conducting an investigation under this
8 section; or

9 “(ii) either personally or through dele-
10 gation no lower than the Deputy Attorney
11 General, issues and signs a subpoena for
12 such actions and such subpoena is sup-
13 ported by specific and articulable facts
14 showing that there are reasonable grounds
15 to believe that the information or testi-
16 mony sought is relevant for conducting an
17 investigation under this section.”.

18 SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO
19 SEC. 918.

20 (a) IN GENERAL.—Section 129C of the Truth in
21 Lending Act (15 U.S.C. 1639c) is amended by adding at
22 the end the following:

23 “(j) SAFE HARBOR FOR CERTAIN LOANS HELD ON
24 PORTFOLIO.—

25 “(1) SAFE HARBOR FOR CREDITORS THAT ARE
26 DEPOSITORY INSTITUTIONS.—

1 “(A) IN GENERAL.—A creditor that is a
2 depository institution shall not be subject to
3 suit for failure to comply with subsection (a),
4 (c)(1), or (f)(2) of this section or section 129H
5 with respect to a residential mortgage loan, and
6 the banking regulators shall treat such loan as
7 a qualified mortgage, if—

8 “(i) the creditor has, since the origi-
9 nation of the loan, held the loan on the
10 balance sheet of the creditor; and

11 “(ii) all prepayment penalties with re-
12 spect to the loan comply with the limita-
13 tions described under subsection (c)(3).

14 “(B) EXCEPTION FOR CERTAIN TRANS-
15 FERS.—In the case of a depository institution
16 that transfers a loan originated by that institu-
17 tion to another depository institution by reason
18 of the bankruptcy or failure of the originating
19 depository institution or the purchase of the
20 originating depository institution, the depository
21 institution transferring such loan shall be
22 deemed to have complied with the requirement
23 under subparagraph (A)(i).

24 “(2) SAFE HARBOR FOR MORTGAGE ORIGINA-
25 TORS.—A mortgage originator shall not be subject

1 to suit for a violation of section 129B(c)(3)(B) for
2 steering a consumer to a residential mortgage loan
3 if—

4 “(A) the creditor of such loan is a deposi-
5 tory institution and has informed the mortgage
6 originator that the creditor intends to hold the
7 loan on the balance sheet of the creditor for the
8 life of the loan; and

9 “(B) the mortgage originator informs the
10 consumer that the creditor intends to hold the
11 loan on the balance sheet of the creditor for the
12 life of the loan.

13 “(3) DEFINITIONS.—For purposes of this sub-
14 section:

15 “(A) BANKING REGULATORS.—The term
16 ‘banking regulators’ means the Federal banking
17 agencies, the Bureau, and the National Credit
18 Union Administration.

19 “(B) DEPOSITORY INSTITUTION.—The
20 term ‘depository institution’ has the meaning
21 given that term under section 19(b)(1) of the
22 Federal Reserve Act (12 U.S.C. 505(b)(1)).

23 “(C) FEDERAL BANKING AGENCIES.—The
24 term ‘Federal banking agencies’ has the mean-

1 ing given that term under section 3 of the Fed-
2 eral Deposit Insurance Act.”.

3 (b) RULE OF CONSTRUCTION.—Nothing in the
4 amendment made by this section may be construed as pre-
5 venting a balloon loan from qualifying for the safe harbor
6 provided under section 129C(j) of the Truth in Lending
7 Act if the balloon loan otherwise meets all of the require-
8 ments under such subsection (j), regardless of whether the
9 balloon loan meets the requirements described under
10 clauses (i) through (iv) of section 129C(b)(2)(E) of such
11 Act.

12 CHANGES REQUIRED TO SMALL BANK HOLDING COMPANY
13 POLICY STATEMENT ON ASSESSMENT OF FINANCIAL
14 AND MANAGERIAL FACTORS
15 SEC. 919.

16 (a) IN GENERAL.—Before the end of the 6-month pe-
17 riod beginning on the date of the enactment of this Act,
18 the Board of Governors of the Federal Reserve System
19 shall revise the Small Bank Holding Company Policy
20 Statement on Assessment of Financial and Managerial
21 Factors (12 CFR part 225—appendix C) to raise the con-
22 solidated asset threshold under such policy statement from
23 \$1,000,000,000 (as adjusted by Public Law 113–250) to
24 \$10,000,000,000.

25 (b) CONFORMING AMENDMENT.—Subparagraph (C)
26 of section 171(b)(5) of the Dodd-Frank Wall Street Re-

1 form and Consumer Protection Act (12 U.S.C.
2 5371(b)(5)) is amended to read as follows:

3 “(C) any bank holding company or savings
4 and loan holding company that is subject to the
5 application of the Small Bank Holding Com-
6 pany Policy Statement on Assessment of Finan-
7 cial and Managerial Factors of the Board of
8 Governors (12 CFR part 225—appendix C).”.

9 COMMUNITY FINANCIAL INSTITUTION MORTGAGE RELIEF
10 SEC. 920.

11 (a) EXEMPTION FROM ESCROW REQUIREMENTS FOR
12 LOANS HELD BY SMALLER CREDITORS.—Section 129D
13 of the Truth in Lending Act (15 U.S.C. 1639d) is amend-
14 ed—

15 (1) by adding at the end the following:

16 “(k) SAFE HARBOR FOR LOANS HELD BY SMALLER
17 CREDITORS.—

18 “(1) IN GENERAL.—A creditor shall not be in
19 violation of subsection (a) with respect to a loan if—

20 “(A) the creditor has consolidated assets of
21 \$10,000,000,000 or less; and

22 “(B) the creditor holds the loan on the bal-
23 ance sheet of the creditor for the 3-year period
24 beginning on the date of the origination of the
25 loan.

1 “(2) EXCEPTION FOR CERTAIN TRANSFERS.—

2 In the case of a creditor that transfers a loan to an-
3 other person by reason of the bankruptcy or failure
4 of the creditor, the purchase of the creditor, or a su-
5 pervisory act or recommendation from a State or
6 Federal regulator, the creditor shall be deemed to
7 have complied with the requirement under para-
8 graph (1)(B).”; and

9 (2) by striking the term “Board” each place
10 such term appears and inserting “Bureau”.

11 (b) MODIFICATION TO EXEMPTION FOR SMALL
12 SERVICERS OF MORTGAGE LOANS.—Section 6 of the Real
13 Estate Settlement Procedures Act of 1974 (12 U.S.C.
14 2605) is amended by adding at the end the following:

15 “(n) SMALL SERVICER EXEMPTION.—The Bureau
16 shall, by regulation, provide exemptions to, or adjustments
17 for, the provisions of this section for a servicer that annu-
18 ally services 20,000 or fewer mortgage loans, in order to
19 reduce regulatory burdens while appropriately balancing
20 consumer protections.”.

21 REGULATIONS APPROPRIATE TO BUSINESS MODELS

22 SEC. 921.

23 (a) IN GENERAL.—For any regulatory action occur-
24 ring after the date of the enactment of this Act, each Fed-
25 eral financial institutions regulatory agency shall—

1 (1) take into consideration the risk profile and
2 business models of each type of institution or class
3 of institutions subject to the regulatory action;

4 (2) determine the necessity, appropriateness,
5 and impact of applying such regulatory action to
6 such institutions or classes of institutions; and

7 (3) tailor such regulatory action in a manner
8 that limits the regulatory compliance impact, cost, li-
9 ability risk, and other burdens, as appropriate, for
10 the risk profile and business model of the institution
11 or class of institutions involved.

12 (b) OTHER CONSIDERATIONS.—In carrying out the
13 requirements of subsection (a), each Federal financial in-
14 stitutions regulatory agency shall consider—

15 (1) the impact that such regulatory action, both
16 by itself and in conjunction with the aggregate effect
17 of other regulations, has on the ability of the appli-
18 cable institution or class of institutions to serve
19 evolving and diverse customer needs;

20 (2) the potential impact of examination manu-
21 als, regulatory actions taken with respect to third-
22 party service providers, or other regulatory directives
23 that may be in conflict or inconsistent with the tai-
24 loring of such regulatory action described in sub-
25 section (a)(3); and

1 (3) the underlying policy objectives of the regu-
2 latory action and statutory scheme involved.

3 (c) NOTICE OF PROPOSED AND FINAL RULE-
4 MAKING.—Each Federal financial institutions regulatory
5 agency shall disclose in every notice of proposed rule-
6 making and in any final rulemaking for a regulatory ac-
7 tion how the agency has applied subsections (a) and (b).

8 (d) REPORTS TO CONGRESS.—

9 (1) INDIVIDUAL AGENCY REPORTS.—

10 (A) IN GENERAL.—Not later than 1 year
11 after the date of the enactment of this Act and
12 annually thereafter, each Federal financial in-
13 stitutions regulatory agency shall report to the
14 Committee on Financial Services of the House
15 of Representatives and the Committee on Bank-
16 ing, Housing, and Urban Affairs of the Senate
17 on the specific actions taken to tailor the regu-
18 latory actions of the agency pursuant to the re-
19 quirements of this Act.

20 (B) APPEARANCE BEFORE THE COMMIT-
21 TEES.—The head of each Federal financial in-
22 stitution regulatory agency shall appear before
23 the Committee on Financial Services of the
24 House of Representatives and the Committee
25 on Banking, Housing, and Urban Affairs of the

1 Senate after each report is made pursuant to
2 subparagraph (A) to testify on the contents of
3 such report.

4 (2) FIEC REPORTS.—

5 (A) IN GENERAL.—Not later than 3
6 months after each report is submitted under
7 paragraph (1), the Financial Institutions Ex-
8 amination Council shall report to the Com-
9 mittee on Financial Services of the House of
10 Representatives and the Committee on Bank-
11 ing, Housing, and Urban Affairs of the Senate
12 on—

13 (i) the extent to which regulatory ac-
14 tions tailored pursuant to this Act result in
15 different treatment of similarly situated in-
16 stitutions of diverse charter types; and

17 (ii) the reasons for such differential
18 treatment.

19 (B) APPEARANCE BEFORE THE COMMIT-
20 TEES.—The Chairman of the Financial Institu-
21 tions Examination Council shall appear before
22 the Committee on Financial Services of the
23 House of Representatives and the Committee
24 on Banking, Housing, and Urban Affairs of the
25 Senate after each report is made pursuant to

1 subparagraph (A) to testify on the contents of
2 such report.

3 (e) LIMITED LOOK-BACK APPLICATION.—

4 (1) IN GENERAL.—Each Federal financial insti-
5 tutions regulatory agency shall conduct a review of
6 all regulations adopted during the period beginning
7 on the date that is seven years before the date of the
8 introduction of this Act in the House of Representa-
9 tives and ending on the date of the enactment of
10 this Act, and apply the requirements of this Act to
11 such regulations.

12 (2) REVISION.—If the application of the re-
13 quirements of this Act to any such regulation re-
14 quires such regulation to be revised, the applicable
15 Federal financial institutions regulatory agency shall
16 revise such regulation within 3 years of the enact-
17 ment of this Act.

18 (f) DEFINITIONS.—In this Act, the following defini-
19 tions shall apply:

20 (1) FEDERAL FINANCIAL INSTITUTIONS REGU-
21 LATORY AGENCIES.—The term “Federal financial in-
22 stitutions regulatory agencies” means the Office of
23 the Comptroller of the Currency, the Board of Gov-
24 ernors of the Federal Reserve System, the Federal
25 Deposit Insurance Corporation, the National Credit

1 Union Administration, and the Bureau of Consumer
2 Financial Protection.

3 (2) REGULATORY ACTION.—The term “regu-
4 latory action” means any proposed, interim, or final
5 rule or regulation, guidance, or published interpreta-
6 tion.

7 ELIMINATING BARRIERS TO JOBS FOR LOAN ORIGINATORS
8 SEC. 922.

9 (a) IN GENERAL.—The S.A.F.E. Mortgage Licensing
10 Act of 2008 (12 U.S.C. 5101 et seq.) is amended by add-
11 ing at the end the following:

12 **“SEC. 1518. EMPLOYMENT TRANSITION OF LOAN ORIGINA-**
13 **TORS.**

14 **“(a) TEMPORARY AUTHORITY TO ORIGINATE LOANS**
15 **FOR LOAN ORIGINATORS MOVING FROM A DEPOSITORY**
16 **INSTITUTION TO A NON-DEPOSITORY INSTITUTION.—**

17 **“(1) IN GENERAL.—**Upon employment by a
18 State-licensed mortgage company, an individual who
19 is a registered loan originator shall be deemed to
20 have temporary authority to act as a loan originator
21 in an application State for the period described in
22 paragraph (2) if the individual—

23 **“(A) has not had an application for a loan**
24 **originator license denied, or had such a license**
25 **revoked or suspended in any governmental ju-**
26 **risdiction;**

1 “(B) has not been subject to or served
2 with a cease and desist order in any govern-
3 mental jurisdiction or as described in section
4 1514(c);

5 “(C) has not been convicted of a felony
6 that would preclude licensure under the law of
7 the application State;

8 “(D) has submitted an application to be a
9 State-licensed loan originator in the application
10 State; and

11 “(E) was registered in the Nationwide
12 Mortgage Licensing System and Registry as a
13 loan originator during the 12-month period pre-
14 ceding the date of submission of the informa-
15 tion required under section 1505(a).

16 “(2) PERIOD.—The period described in para-
17 graph (1) shall begin on the date that the individual
18 submits the information required under section
19 1505(a) and shall end on the earliest of—

20 “(A) the date that the individual with-
21 draws the application to be a State-licensed
22 loan originator in the application State;

23 “(B) the date that the application State
24 denies, or issues a notice of intent to deny, the
25 application;

1 “(C) the date that the application State
2 grants a State license; or

3 “(D) the date that is 120 days after the
4 date on which the individual submits the appli-
5 cation, if the application is listed on the Nation-
6 wide Mortgage Licensing System and Registry
7 as incomplete.

8 “(b) TEMPORARY AUTHORITY TO ORIGINATE LOANS
9 FOR STATE-LICENSED LOAN ORIGINATORS MOVING
10 INTERSTATE.—

11 “(1) IN GENERAL.—A State-licensed loan origi-
12 nator shall be deemed to have temporary authority
13 to act as a loan originator in an application State
14 for the period described in paragraph (2) if the
15 State-licensed loan originator—

16 “(A) meets the requirements of subpara-
17 graphs (A), (B), (C), and (D) of subsection
18 (a)(1);

19 “(B) is employed by a State-licensed mort-
20 gage company in the application State; and

21 “(C) was licensed in a State that is not the
22 application State during the 30-day period pre-
23 ceding the date of submission of the informa-
24 tion required under section 1505(a) in connec-

1 tion with the application submitted to the appli-
2 cation State.

3 “(2) PERIOD.—The period described in para-
4 graph (1) shall begin on the date that the State-li-
5 censed loan originator submits the information re-
6 quired under section 1505(a) in connection with the
7 application submitted to the application State and
8 end on the earliest of—

9 “(A) the date that the State-licensed loan
10 originator withdraws the application to be a
11 State-licensed loan originator in the application
12 State;

13 “(B) the date that the application State
14 denies, or issues a notice of intent to deny, the
15 application;

16 “(C) the date that the application State
17 grants a State license; or

18 “(D) the date that is 120 days after the
19 date on which the State-licensed loan originator
20 submits the application, if the application is
21 listed on the Nationwide Mortgage Licensing
22 System and Registry as incomplete.

23 “(c) APPLICABILITY.—

24 “(1) Any person employing an individual who is
25 deemed to have temporary authority to act as a loan

1 originator in an application State pursuant to this
2 section shall be subject to the requirements of this
3 title and to applicable State law to the same extent
4 as if such individual was a State-licensed loan origi-
5 nator licensed by the application State.

6 “(2) Any individual who is deemed to have tem-
7 porary authority to act as a loan originator in an ap-
8 plication State pursuant to this section and who en-
9 gages in residential mortgage loan origination activi-
10 ties shall be subject to the requirements of this title
11 and to applicable State law to the same extent as if
12 such individual was a State-licensed loan originator
13 licensed by the application State.

14 “(d) DEFINITIONS.—In this section, the following
15 definitions shall apply:

16 “(1) STATE-LICENSED MORTGAGE COMPANY.—
17 The term ‘State-licensed mortgage company’ means
18 an entity licensed or registered under the law of any
19 State to engage in residential mortgage loan origina-
20 tion and processing activities.

21 “(2) APPLICATION STATE.—The term ‘applica-
22 tion State’ means a State in which a registered loan
23 originator or a State-licensed loan originator seeks
24 to be licensed.”.

1 (b) TABLE OF CONTENTS AMENDMENT.—The table
2 of contents in section 1(b) of the Housing and Economic
3 Recovery Act of 2008 (42 U.S.C. 4501 note) is amended
4 by inserting after the item relating to section 1517 the
5 following:

“Sec. 1518. Employment transition of loan originators.”.

6 (c) AMENDMENT TO CIVIL LIABILITY OF THE BU-
7 REAU AND OTHER OFFICIALS.—Section 1513 of the
8 S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C.
9 5112) is amended by striking “are loan originators or are
10 applying for licensing or registration as loan originators”
11 and inserting “are applying for licensing or registration
12 using the Nationwide Mortgage Licensing System and
13 Registry”.

14 (d) EFFECTIVE DATE.—This section and the amend-
15 ments made by this section shall take effect on the date
16 that is 18 months after the date of the enactment of this
17 Act.

18 SMALL BUSINESS LOAN DATA COLLECTION REQUIREMENT
19 SEC. 923.

20 (a) REPEAL.—Section 704B of the Equal Credit Op-
21 portunity Act (15 U.S.C. 1691c–2) is repealed.

22 (b) CONFORMING AMENDMENTS.—Section 701(b) of
23 the Equal Credit Opportunity Act (15 U.S.C. 1691(b)) is
24 amended—

1 (1) in paragraph (3), by inserting “or” at the
2 end;

3 (2) in paragraph (4), by striking “; or” and in-
4 serting a period; and

5 (3) by striking paragraph (5).

6 (c) CLERICAL AMENDMENT.—The table of sections
7 for title VII of the Consumer Credit Protection Act is
8 amended by striking the item relating to section 704B.
9 DEPOSITORY INSTITUTIONS SUBJECT TO MAINTENANCE
10 OF RECORDS AND DISCLOSURE REQUIREMENTS
11 SEC. 924.

12 (a) IN GENERAL.—Section 304 of the Home Mort-
13 gage Disclosure Act of 1975 (12 U.S.C. 2803) is amend-
14 ed—

15 (1) by redesignating subsection (i) as paragraph
16 (2) and adjusting the margin appropriately; and
17 (2) by inserting before such paragraph (2) the
18 following:

19 “(i) EXEMPTIONS.—

20 “(1) IN GENERAL.—With respect to a deposi-
21 tory institution, the requirements of subsections (a)
22 and (b) shall not apply—

23 “(A) with respect to closed-end mortgage
24 loans, if such depository institution originated
25 less than 100 closed-end mortgage loans in each
26 of the two preceding calendar years; and

1 “(B) with respect to open-end lines of
2 credit, if such depository institution originated
3 less than 200 open-end lines of credit in each
4 of the two preceding calendar years.”.

5 (b) TECHNICAL CORRECTION.—Section 304(i)(2) of
6 such Act, as redesignated by subsection (a), is amended
7 by striking “section 303(2)(A)” and inserting “section
8 303(3)(A)”.

9 RATE OF INTEREST AFTER TRANSFER OF LOAN
10 SEC. 925.

11 (a) AMENDMENT TO THE REVISED STATUTES.—Sec-
12 tion 5197 of the Revised Statutes of the United States
13 (12 U.S.C. 85) is amended by adding at the end the fol-
14 lowing new sentence: “A loan that is valid when made as
15 to its maximum rate of interest in accordance with this
16 section shall remain valid with respect to such rate regard-
17 less of whether the loan is subsequently sold, assigned, or
18 otherwise transferred to a third party, and may be en-
19 forced by such third party notwithstanding any State law
20 to the contrary.”.

21 (b) AMENDMENT TO THE HOME OWNERS’ LOAN
22 ACT.—Section 4(g)(1) of the Home Owners’ Loan Act (12
23 U.S.C. 1463(g)(1)) is amended by adding at the end the
24 following new sentence: “A loan that is valid when made
25 as to its maximum rate of interest in accordance with this
26 subsection shall remain valid with respect to such rate re-

1 regardless of whether the loan is subsequently sold, as-
2 signed, or otherwise transferred to a third party, and may
3 be enforced by such third party notwithstanding any State
4 law to the contrary.”.

5 (c) AMENDMENT TO THE FEDERAL CREDIT UNION
6 ACT.—Section 205(g)(1) of the Federal Credit Union Act
7 (12 U.S.C. 1785(g)(1)) is amended by adding at the end
8 the following new sentence: “A loan that is valid when
9 made as to its maximum rate of interest in accordance
10 with this subsection shall remain valid with respect to such
11 rate regardless of whether the loan is subsequently sold,
12 assigned, or otherwise transferred to a third party, and
13 may be enforced by such third party notwithstanding any
14 State law to the contrary.”.

15 (d) AMENDMENT TO THE FEDERAL DEPOSIT INSUR-
16 ANCE ACT.—Section 27(a) of the Federal Deposit Insur-
17 ance Act (12 U.S.C. 1831d(a)) is amended by adding at
18 the end the following new sentence: “A loan that is valid
19 when made as to its maximum rate of interest in accord-
20 ance with this section shall remain valid with respect to
21 such rate regardless of whether the loan is subsequently
22 sold, assigned, or otherwise transferred to a third party,
23 and may be enforced by such third party notwithstanding
24 any State law to the contrary.”.

1 BRINGING THE BUREAU INTO THE REGULAR
2 APPROPRIATIONS PROCESS

3 SEC. 926.

4 (a) IN GENERAL.—Section 1017 of the Consumer Fi-
5 nancial Protection Act of 2010 (12 U.S.C. 5497) is
6 amended—

7 (1) in subsection (a)—

8 (A) by amending the heading of such sub-
9 section to read as follows: “BUDGET, FINAN-
10 CIAL MANAGEMENT, AND AUDIT.—”;

11 (B) by striking paragraphs (1), (2), and
12 (3);

13 (C) by redesignating paragraphs (4) and
14 (5) as paragraphs (1) and (2), respectively; and

15 (D) by striking subparagraphs (E) and (F)
16 of paragraph (1), as so redesignated;

17 (2) by striking subsections (b) and (c);

18 (3) by redesignating subsections (d) and (e) as
19 subsections (b) and (c), respectively; and

20 (4) in subsection (c), as so redesignated—

21 (A) by striking paragraphs (1), (2), and
22 (3) and inserting the following:

23 “(1) AUTHORIZATION OF APPROPRIATIONS.—

24 There is authorized to be appropriated to the Bu-
25 reau for each of fiscal years 2018 and 2019 an

1 amount equal to the aggregate amount of funds
2 transferred by the Board of Governors to the Bu-
3 reau during fiscal year 2015.”; and

4 (B) by redesignating paragraph (4) as
5 paragraph (2).

6 (b) EFFECTIVE DATE.—

7 (1) IN GENERAL.—The amendments made by
8 subsection (a) shall take effect on October 1, 2018.

9 (2) IMMEDIATE REPEAL OF REVIEWABILITY
10 PROVISION.—Notwithstanding paragraph (1), sub-
11 paragraph (C) of section 1017(a)(2) of the Con-
12 sumer Financial Protection Act of 2010 (12 U.S.C.
13 5497(a)(2)) is repealed effective on the date of the
14 enactment of this Act.

15 ELIMINATION OF SUPERVISION AUTHORITY

16 SEC. 927.

17 (a) IN GENERAL.—The Consumer Financial Protec-
18 tion Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

19 (1) in section 1002(15)(B)(ii)(I), by striking
20 “examination or”;

21 (2) in section 1013(a)(1)(B), by striking “com-
22 pliance examiners, compliance supervision analysts,”;

23 (3) in section 1016(c)—

24 (A) in paragraph (5), by striking “super-
25 visory and”; and

1 (B) in paragraph (6), by striking “orders,
2 and supervisory actions” and inserting “and or-
3 ders”;

4 (4) in section 1024—

5 (A) in the heading, by striking “**SUPER-**
6 **VISION OF**” and inserting “**AUTHORITY**
7 **WITH RESPECT TO CERTAIN**”;

8 (B) in subsection (a)—

9 (i) in paragraph (1)(B), by striking
10 “as defined by rule in accordance with
11 paragraph (2)” and inserting “as of the
12 date of the enactment of the Financial
13 CHOICE Act of 2017”;

14 (ii) by striking paragraph (2);

15 (iii) by redesignating paragraph (3) as
16 paragraph (2); and

17 (iv) in subparagraph (A) of paragraph
18 (2), as so redesignated, by striking
19 “1025(a) or”;

20 (C) by striking subsection (b);

21 (D) by redesignating subsections (c), (d),
22 (e), and (f) as subsections (b), (c), (d), and (e),
23 respectively;

24 (E) in subsection (c), as so redesignated—

1 (i) in the heading, by striking “AND
2 EXAMINATION AUTHORITY”; and

3 (ii) by striking “, conduct examina-
4 tions,” each place such term appears;
5 (F) in subsection (d), as so redesignated—

6 (i) by inserting “rulemaking and en-
7 forcement, but not supervisory,” before
8 “authority of the Bureau”; and

9 (ii) by striking “conducting any exam-
10 ination or requiring any report from a
11 service provider subject to this subsection”
12 and inserting “carrying out any authority
13 pursuant to this subsection with respect to
14 a service provider”;

15 (5) by striking section 1025;

16 (6) in section 1026—

17 (A) by amending subsection (a) to read as
18 follows:

19 “(a) SCOPE OF COVERAGE.—This section shall apply
20 to any covered person that is an insured depository insti-
21 tution or an insured credit union.”;

22 (B) in subsection (b)(3), by striking “re-
23 port of examination or related”;

24 (C) by striking subsection (c);

1 (D) by redesignating subsections (d) and
2 (e) as subsections (c) and (d), respectively;

3 (E) in subsection (c), as so redesignated,
4 by adding at the end the following:

5 “(3) VERY LARGE INSTITUTIONS.—

6 “(A) PRIMARY ENFORCEMENT AUTHOR-
7 ITY.—Notwithstanding paragraph (1), to the
8 extent that the Bureau and another Federal
9 agency are authorized to enforce a Federal con-
10 sumer financial law, the Bureau shall have pri-
11 mary authority to enforce that Federal con-
12 sumer financial law with respect to an insured
13 depository institution or insured credit union, if
14 such depository institution or credit union has
15 total assets of more than \$10,000,000,000, and
16 any affiliate thereof.

17 “(B) REFERRAL.—Any Federal agency,
18 other than the Federal Trade Commission, that
19 is authorized to enforce a Federal consumer fi-
20 nancial law may recommend, in writing, to the
21 Bureau that the Bureau initiate an enforcement
22 proceeding with respect to a person described in
23 subparagraph (A), as the Bureau is authorized
24 to do by that Federal consumer financial law.

1 “(C) BACKUP ENFORCEMENT AUTHOR-
2 ITY.—If the Bureau does not, before the end of
3 the 120-day period beginning on the date on
4 which the Bureau receives a recommendation
5 under subparagraph (B), initiate an enforce-
6 ment proceeding, the other agency referred to
7 in subparagraph (B) may initiate an enforce-
8 ment proceeding.”; and

9 (F) in subsection (d), as so redesignated—

10 (i) by inserting after “subsection (a)”
11 the following: “, or to any person described
12 under subsection (c)(3)(A),”;

13 (ii) by striking “section 1025” and in-
14 serting “this section”; and

15 (iii) by striking “When conducting
16 any examination or requiring any report
17 from a service provider subject to this sub-
18 section” and inserting “In carrying out
19 any authority pursuant to this subsection
20 with respect to a service provider”;

21 (7) in section 1027—

22 (A) by striking “supervisory,” each place
23 such term appears;

24 (B) in subsection (e)(1), by striking “su-
25 pervisory or”; and

1 (C) in subsection (p), by striking “section
2 1024(c)(1)” and inserting “section
3 1024(b)(1)”;

4 (8) in section 1034—

5 (A) by striking subsections (b) and (c);
6 and

7 (B) by redesignating subsection (d) as sub-
8 section (b);

9 (9) in section 1053—

10 (A) in subsection (b)(1)(A), by striking
11 “sections 1024, 1025, and 1026” and inserting
12 “sections 1024 and 1026”; and

13 (B) in subsection (c)(3)(B)(ii)(II), by
14 striking “, by examination or otherwise,”;

15 (10) in section 1054(a), by striking “sections
16 1024, 1025, and 1026” and inserting “sections
17 1024 and 1026”;

18 (11) in section 1061—

19 (A) in subsection (a)(1)—

20 (i) in subparagraph (A), by striking “;
21 and” at the end and inserting a period;

22 (ii) by striking “means—” and all
23 that follows through “(A) all” and insert-
24 ing “means all”; and

1 (iii) by striking subparagraph (B);

2 and

3 (B) in subsection (c)—

4 (i) by amending paragraph (1) to read

5 as follows:

6 “(1) EXAMINATION.—A transferor agency that
7 is a prudential regulator shall have exclusive author-
8 ity (relative to the Bureau) to require reports from
9 and conduct examinations for compliance with Fed-
10 eral consumer financial laws with respect to a person
11 described in section 1026(a).”; and

12 (ii) in paragraph (2)—

13 (I) by striking subparagraph (A);

14 and

15 (II) by redesignating subpara-
16 graphs (B) and (C) as subparagraphs
17 (A) and (B), respectively;

18 (12) in section 1063, by striking “sections
19 1024, 1025, and 1026” each place such term ap-
20 pears and inserting “sections 1024 and 1026”; and

21 (13) in section 1067, by striking subsection (e).

22 (b) HOME MORTGAGE DISCLOSURE ACT OF 1975.—
23 Section 305(d) of the Home Mortgage Disclosure Act of
24 1975 (12 U.S.C. 2804(d)) is amended by striking “exam-
25 ine and”.

1 (c) OMNIBUS APPROPRIATIONS ACT, 2009.—Section
2 626 of the Omnibus Appropriations Act, 2009 (15 U.S.C.
3 1638 note) is repealed.

4 (d) CLERICAL AMENDMENT.—The table of contents
5 in section 1(b) of the Dodd-Frank Wall Street Reform and
6 Consumer Protection Act is amended—

7 (1) in the item relating to section 1024, by
8 striking “SUPERVISION OF” and inserting “AU-
9 THORITY WITH RESPECT TO CERTAIN”; and
10 (2) by striking the item relating to section
11 1025.

12 REMOVAL OF AUTHORITY TO REGULATE SMALL-DOLLAR
13 CREDIT
14 SEC. 928.

15 The Consumer Financial Protection Act of 2010 (12
16 U.S.C. 5481 et seq.) is amended—

17 (1) in section 1024(a)(1)—
18 (A) in subparagraph (C), by adding “or”
19 at the end;
20 (B) in subparagraph (D), by striking “;
21 or” and inserting a period; and
22 (C) by striking subparagraph (E); and
23 (2) in section 1027, by adding at the end the
24 following:

25 “(t) NO AUTHORITY TO REGULATE SMALL-DOLLAR
26 CREDIT.—The Bureau may not exercise any rulemaking,

1 enforcement, or other authority with respect to payday
2 loans, vehicle title loans, or other similar loans.”.

3 REMOVAL OF BUREAU UDAAP AUTHORITY

4 SEC. 929.

5 (a) IN GENERAL.—The Consumer Financial Protec-
6 tion Act of 2010 (12 U.S.C. 5481 et seq.) is amended—

7 (1) in section 1021(b)(2), by striking “from un-
8 fair, deceptive, or abusive acts and practices and”;

9 (2) by striking section 1031;

10 (3) in section 1036(a)—

11 (A) in paragraph (1)—

12 (i) by striking “provider” and all that
13 follows through “to offer” and inserting
14 “provider to offer”;

15 (ii) by striking subparagraph (B); and

16 (B) in paragraph (2)(C), by striking “; or”
17 at the end and inserting a period; and

18 (C) by striking paragraph (3); and

19 (4) in section 1061(b)(5)—

20 (A) in subparagraph (B)—

21 (i) by striking “(i) In general.—”;

22 and

23 (ii) by striking clause (ii);

24 (B) by striking subparagraph (D); and

25 (C) by redesignating subparagraph (E) as
26 subparagraph (D); and

1 (5) in section 1076(b)(2), by striking “deter-
2 mine—” and all that follows through “(B) provide
3 for” and inserting “determine, provide for”.

4 (b) TELEMARKETING AND CONSUMER FRAUD AND
5 ABUSE PREVENTION ACT.—Section 3(c) of the Tele-
6 marketing and Consumer Fraud and Abuse Prevention
7 Act (15 U.S.C. 6102) is amended—

8 (1) in paragraph (1), by striking “; and” at the
9 end and inserting a period;

10 (2) by striking paragraph (2); and

11 (3) by striking “subsection (a)—” and all that
12 follows through “(1) shall” and inserting “sub-
13 section (a) shall”.

14 (c) CLERICAL AMENDMENT.—The table of contents
15 in section 1(b) of the Dodd-Frank Wall Street Reform and
16 Consumer Protection Act is amended by striking the item
17 relating to section 1031.

18 REPEAL OF AUTHORITY TO RESTRICT ARBITRATION
19 SEC. 930.

20 (a) IN GENERAL.—Section 1028 of the Consumer Fi-
21 nancial Protection Act of 2010 (12 U.S.C. 5518) is hereby
22 repealed.

23 (b) CLERICAL AMENDMENT.—The table of contents
24 under section 1(b) of the Dodd-Frank Wall Street Reform
25 and Consumer Protection Act is amended by striking the
26 item relating to section 1028.

1 EXEMPTION FROM RISK RETENTION REQUIREMENTS FOR
2 NONRESIDENTIAL MORTGAGE
3 SEC. 931.

4 (a) IN GENERAL.—Section 15G of the Securities Ex-
5 change Act of 1934 (15 U.S.C. 78o–11) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (3)(B), by striking “and”
8 at the end;

9 (B) in paragraph (4)(B), by striking the
10 period and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(5) the term ‘asset-backed security’ refers only
13 to an asset-backed security that is comprised wholly
14 of residential mortgages.”;

15 (2) in subsection (b)—

16 (A) by striking paragraph (1); and

17 (B) by striking “(2) RESIDENTIAL MORT-
18 GAGES.—”;

19 (3) by striking subsection (h) and redesignating
20 subsection (i) as subsection (h); and

21 (4) in subsection (h) (as so redesignated)—

22 (A) by striking “effective—” and all that
23 follows through “(1) with respect to” and in-
24 serting “effective with respect to”;

1 (B) in paragraph (1), by striking “; and”
2 and inserting a period; and

3 (C) by striking paragraph (2).

4 (b) CONFORMING AMENDMENT.—Section 941 of the
5 Dodd-Frank Wall Street Reform and Consumer Protec-
6 tion Act is amended by striking subsection (c).

7 PROHIBITION ON REQUIRING A SINGLE BALLOT
8 SEC. 932.

9 Section 14 of the Securities Exchange Act of 1934
10 (15 U.S.C. 78n) is amended by adding at the end the fol-
11 lowing:

12 “(k) PROHIBITION ON REQUIRING A SINGLE BAL-
13 LOT.—The Commission may not require that a solicitation
14 of a proxy, consent, or authorization to vote a security
15 of an issuer in an election of members of the board of
16 directors of the issuer be made using a single ballot or
17 card that lists both individuals nominated by (or on behalf
18 of) the issuer and individuals nominated by (or on behalf
19 of) other proponents and permits the person granting the
20 proxy, consent, or authorization to select from among indi-
21 viduals in both groups.”.

22 REPEAL OF THE VOLCKER RULE AND OTHER PROVISIONS
23 SEC. 933.

24 (a) IN GENERAL.—The following sections of title VI
25 of the Dodd-Frank Wall Street Reform and Consumer
26 Protection Act are repealed, and the provisions of law

1 amended or repealed by such sections are restored or re-
2 vived as if such sections had not been enacted:

3 (1) Section 618.

4 (2) Section 619.

5 (3) Section 620.

6 (b) CLERICAL AMENDMENT.—The table of contents
7 under section 1(b) of the Dodd-Frank Wall Street Reform
8 and Consumer Protection Act is amended by striking the
9 items relating to sections 618, 619, and 620.

1 **TITLE X—FINANCIAL**
2 **INSTITUTION BANKRUPTCY**

3 **SEC. 1001. SHORT TITLE.**

4 This title may be cited as the “Financial Institution
5 Bankruptcy Act of 2017”.

6 **SEC. 2. GENERAL PROVISIONS RELATING TO COVERED FI-**
7 **NANCIAL CORPORATIONS.**

8 (a) DEFINITION.—Section 101 of title 11, United
9 States Code, is amended by inserting the following after
10 paragraph (9):

11 “(9A) The term ‘covered financial corporation’
12 means any corporation incorporated or organized
13 under any Federal or State law, other than a stock-
14 broker, a commodity broker, or an entity of the kind
15 specified in paragraph (2) or (3) of section 109(b),
16 that is—

17 “(A) a bank holding company, as defined
18 in section 2(a) of the Bank Holding Company
19 Act of 1956; or

20 “(B) a corporation that exists for the pri-
21 mary purpose of owning, controlling and financ-
22 ing its subsidiaries, that has total consolidated
23 assets of \$50,000,000,000 or greater, and for
24 which, in its most recently completed fiscal
25 year—

1 “(i) annual gross revenues derived by
2 the corporation and all of its subsidiaries
3 from activities that are financial in nature
4 (as defined in section 4(k) of the Bank
5 Holding Company Act of 1956) and, if ap-
6 plicable, from the ownership or control of
7 one or more insured depository institu-
8 tions, represents 85 percent or more of the
9 consolidated annual gross revenues of the
10 corporation; or

11 “(ii) the consolidated assets of the
12 corporation and all of its subsidiaries re-
13 lated to activities that are financial in na-
14 ture (as defined in section 4(k) of the
15 Bank Holding Company Act of 1956) and,
16 if applicable, related to the ownership or
17 control of one or more insured depository
18 institutions, represents 85 percent or more
19 of the consolidated assets of the corpora-
20 tion.”.

21 (b) APPLICABILITY OF CHAPTERS.—Section 103 of
22 title 11, United States Code, is amended by adding at the
23 end the following:

1 “(l) Subchapter V of chapter 11 of this title applies
2 only in a case under chapter 11 concerning a covered fi-
3 nancial corporation.”.

4 (c) WHO MAY BE A DEBTOR.—Section 109 of title
5 11, United States Code, is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (2), by striking “or” at
8 the end;

9 (B) in paragraph (3)(B), by striking the
10 period at the end and inserting “; or”; and

11 (C) by adding at the end the following:

12 “(4) a covered financial corporation.”; and

13 (2) in subsection (d)—

14 (A) by striking “and” before “an unin-
15 sured State member bank”;

16 (B) by striking “or” before “a corpora-
17 tion”; and

18 (C) by inserting “, or a covered financial
19 corporation” after “Federal Deposit Insurance
20 Corporation Improvement Act of 1991”.

21 (d) CONVERSION TO CHAPTER 7.—Section 1112 of
22 title 11, United States Code, is amended by adding at the
23 end the following:

1 “(g) Notwithstanding section 109(b), the court may
2 convert a case under subchapter V to a case under chapter
3 7 if—

4 “(1) a transfer approved under section 1185
5 has been consummated;

6 “(2) the court has ordered the appointment of
7 a special trustee under section 1186; and

8 “(3) the court finds, after notice and a hearing,
9 that conversion is in the best interest of the credi-
10 tors and the estate.”.

11 (e)(1) Section 726(a)(1) of title 11, United States
12 Code, is amended by inserting after “first,” the following:
13 “in payment of any unpaid fees, costs, and expenses of
14 a special trustee appointed under section 1186, and then”.

15 (2) Section 1129(a) of title 11, United States Code,
16 is amended by inserting after paragraph (16) the fol-
17 lowing:

18 “(17) In a case under subchapter V, all payable
19 fees, costs, and expenses of the special trustee have
20 been paid or the plan provides for the payment of
21 all such fees, costs, and expenses on the effective
22 date of the plan.

23 “(18) In a case under subchapter V, confirma-
24 tion of the plan is not likely to cause serious adverse
25 effects on financial stability in the United States.”.

1 (f) Section 322(b)(2) of title 11, United States Code,
2 is amended by striking “The” and inserting “In cases
3 under subchapter V, the United States trustee shall rec-
4 ommend to the court, and in all other cases, the”.

5 **SEC. 3. LIQUIDATION, REORGANIZATION, OR RECAPITAL-**
6 **IZATION OF A COVERED FINANCIAL COR-**
7 **PORATION.**

8 Chapter 11 of title 11, United States Code, is amend-
9 ed by adding at the end the following:

10 “SUBCHAPTER V—LIQUIDATION, REORGANIZA-
11 TION, OR RECAPITALIZATION OF A COV-
12 ERED FINANCIAL CORPORATION

13 “§ 1181. Inapplicability of other sections

14 “Sections 303 and 321(c) do not apply in a case
15 under this subchapter concerning a covered financial cor-
16 poration. Section 365 does not apply to a transfer under
17 section 1185, 1187, or 1188.

18 “§ 1182. Definitions for this subchapter

19 “In this subchapter, the following definitions shall
20 apply:

21 “(1) The term ‘Board’ means the Board of
22 Governors of the Federal Reserve System.

23 “(2) The term ‘bridge company’ means a newly
24 formed corporation to which property of the estate
25 may be transferred under section 1185(a) and the

1 equity securities of which may be transferred to a
2 special trustee under section 1186(a).

3 “(3) The term ‘capital structure debt’ means all
4 unsecured debt of the debtor for borrowed money for
5 which the debtor is the primary obligor, other than
6 a qualified financial contract and other than debt se-
7 cured by a lien on property of the estate that is to
8 be transferred to a bridge company pursuant to an
9 order of the court under section 1185(a).

10 “(4) The term ‘contractual right’ means a con-
11 tractual right of a kind defined in section 555, 556,
12 559, 560, or 561.

13 “(5) The term ‘qualified financial contract’
14 means any contract of a kind defined in paragraph
15 (25), (38A), (47), or (53B) of section 101, section
16 741(7), or paragraph (4), (5), (11), or (13) of sec-
17 tion 761.

18 “(6) The term ‘special trustee’ means the trust-
19 ee of a trust formed under section 1186(a)(1).

20 **“§ 1183. Commencement of a case concerning a cov-**
21 **ered financial corporation**

22 “(a) A case under this subchapter concerning a cov-
23 ered financial corporation may be commenced by the filing
24 of a petition with the court by the debtor under section
25 301 only if the debtor states to the best of its knowledge

1 under penalty of perjury in the petition that it is a covered
2 financial corporation.

3 “(b) The commencement of a case under subsection
4 (a) constitutes an order for relief under this subchapter.

5 “(c) The members of the board of directors (or body
6 performing similar functions) of a covered financial cor-
7 poration shall have no liability to shareholders, creditors,
8 or other parties in interest for a good faith filing of a peti-
9 tion to commence a case under this subchapter, or for any
10 reasonable action taken in good faith in contemplation of
11 such a petition or a transfer under section 1185 or section
12 1186, whether prior to or after commencement of the case.

13 “(d) Counsel to the debtor shall provide, to the great-
14 est extent practicable without disclosing the identity of the
15 potential debtor, sufficient confidential notice to the chief
16 judge of the court of appeals for the circuit embracing the
17 district in which such counsel intends to file a petition to
18 commence a case under this subchapter regarding the po-
19 tential commencement of such case. The chief judge of
20 such court shall randomly assign to preside over such case
21 a bankruptcy judge selected from among the bankruptcy
22 judges designated by the Chief Justice of the United
23 States under section 298 of title 28.

1 **“§ 1184. Regulators**

2 “The Board, the Securities Exchange Commission,
3 the Office of the Comptroller of the Currency of the De-
4 partment of the Treasury, the Commodity Futures Trad-
5 ing Commission, and the Federal Deposit Insurance Cor-
6 poration may raise and may appear and be heard on any
7 issue in any case or proceeding under this subchapter.

8 **“§ 1185. Special transfer of property of the estate**

9 “(a) On request of the trustee, and after notice and
10 a hearing that shall occur not less than 24 hours after
11 the order for relief, the court may order a transfer under
12 this section of property of the estate, and the assignment
13 of executory contracts, unexpired leases, and qualified fi-
14 nancial contracts of the debtor, to a bridge company.
15 Upon the entry of an order approving such transfer, any
16 property transferred, and any executory contracts, unex-
17 pired leases, and qualified financial contracts assigned
18 under such order shall no longer be property of the estate.
19 Except as provided under this section, the provisions of
20 section 363 shall apply to a transfer and assignment under
21 this section.

22 “(b) Unless the court orders otherwise, notice of a
23 request for an order under subsection (a) shall consist of
24 electronic or telephonic notice of not less than 24 hours
25 to—

26 “(1) the debtor;

1 “(2) the holders of the 20 largest secured
2 claims against the debtor;

3 “(3) the holders of the 20 largest unsecured
4 claims against the debtor;

5 “(4) counterparties to any debt, executory con-
6 tract, unexpired lease, and qualified financial con-
7 tract requested to be transferred under this section;

8 “(5) the Board;

9 “(6) the Federal Deposit Insurance Corpora-
10 tion;

11 “(7) the Secretary of the Treasury and the Of-
12 fice of the Comptroller of the Currency of the Treas-
13 ury;

14 “(8) the Commodity Futures Trading Commis-
15 sion;

16 “(9) the Securities and Exchange Commission;

17 “(10) the United States trustee or bankruptcy
18 administrator; and

19 “(11) each primary financial regulatory agency,
20 as defined in section 2(12) of the Dodd-Frank Wall
21 Street Reform and Consumer Protection Act, with
22 respect to any affiliate the equity securities of which
23 are proposed to be transferred under this section.

1 “(c) The court may not order a transfer under this
2 section unless the court determines, based upon a prepon-
3 derance of the evidence, that—

4 “(1) the transfer under this section is necessary
5 to prevent serious adverse effects on financial sta-
6 bility in the United States;

7 “(2) the transfer does not provide for the as-
8 sumption of any capital structure debt by the bridge
9 company;

10 “(3) the transfer does not provide for the trans-
11 fer to the bridge company of any property of the es-
12 tate that is subject to a lien securing a debt, execu-
13 tory contract, unexpired lease or agreement (includ-
14 ing a qualified financial contract) of the debtor un-
15 less—

16 “(A)(i) the bridge company assumes such
17 debt, executory contract, unexpired lease or
18 agreement (including a qualified financial con-
19 tract), including any claims arising in respect
20 thereof that would not be allowed secured
21 claims under section 506(a)(1) and after giving
22 effect to such transfer, such property remains
23 subject to the lien securing such debt, executory
24 contract, unexpired lease or agreement (includ-
25 ing a qualified financial contract); and

1 “(ii) the court has determined that as-
2 sumption of such debt, executory contract, un-
3 expired lease or agreement (including a quali-
4 fied financial contract) by the bridge company
5 is in the best interests of the estate; or

6 “(B) such property is being transferred to
7 the bridge company in accordance with the pro-
8 visions of section 363;

9 “(4) the transfer does not provide for the as-
10 sumption by the bridge company of any debt, execu-
11 tory contract, unexpired lease or agreement (includ-
12 ing a qualified financial contract) of the debtor se-
13 cured by a lien on property of the estate unless the
14 transfer provides for such property to be transferred
15 to the bridge company in accordance with paragraph
16 (3)(A) of this subsection;

17 “(5) the transfer does not provide for the trans-
18 fer of the equity of the debtor;

19 “(6) the trustee has demonstrated that the
20 bridge company is not likely to fail to meet the obli-
21 gations of any debt, executory contract, qualified fi-
22 nancial contract, or unexpired lease assumed and as-
23 signed to the bridge company;

24 “(7) the transfer provides for the transfer to a
25 special trustee all of the equity securities in the

1 bridge company and appointment of a special trustee
2 in accordance with section 1186;

3 “(8) after giving effect to the transfer, ade-
4 quate provision has been made for the fees, costs,
5 and expenses of the estate and special trustee; and

6 “(9) the bridge company will have governing
7 documents, and initial directors and senior officers,
8 that are in the best interest of creditors and the es-
9 tate.

10 “(d) Immediately before a transfer under this section,
11 the bridge company that is the recipient of the transfer
12 shall—

13 “(1) not have any property, executory con-
14 tracts, unexpired leases, qualified financial contracts,
15 or debts, other than any property acquired or execu-
16 tory contracts, unexpired leases, or debts assumed
17 when acting as a transferee of a transfer under this
18 section; and

19 “(2) have equity securities that are property of
20 the estate, which may be sold or distributed in ac-
21 cordance with this title.

22 **“§ 1186. Special trustee**

23 “(a)(1) An order approving a transfer under section
24 1185 shall require the trustee to transfer to a qualified
25 and independent special trustee, who is appointed by the

1 court, all of the equity securities in the bridge company
2 that is the recipient of a transfer under section 1185 to
3 hold in trust for the sole benefit of the estate, subject to
4 satisfaction of the special trustee's fees, costs, and ex-
5 penses. The trust of which the special trustee is the trust-
6 ee shall be a newly formed trust governed by a trust agree-
7 ment approved by the court as in the best interests of the
8 estate, and shall exist for the sole purpose of holding and
9 administering, and shall be permitted to dispose of, the
10 equity securities of the bridge company in accordance with
11 the trust agreement.

12 “(2) In connection with the hearing to approve a
13 transfer under section 1185, the trustee shall confirm to
14 the court that the Board has been consulted regarding the
15 identity of the proposed special trustee and advise the
16 court of the results of such consultation.

17 “(b) The trust agreement governing the trust shall
18 provide—

19 “(1) for the payment of the fees, costs, ex-
20 penses, and indemnities of the special trustee from
21 the assets of the debtor's estate;

22 “(2) that the special trustee provide—

23 “(A) quarterly reporting to the estate,
24 which shall be filed with the court; and

1 “(B) information about the bridge com-
2 pany reasonably requested by a party in inter-
3 est to prepare a disclosure statement for a plan
4 providing for distribution of any securities of
5 the bridge company if such information is nec-
6 essary to prepare such disclosure statement;

7 “(3) that for as long as the equity securities of
8 the bridge company are held by the trust, the special
9 trustee shall file a notice with the court in connec-
10 tion with—

11 “(A) any change in a director or senior of-
12 ficer of the bridge company;

13 “(B) any modification to the governing
14 documents of the bridge company; and

15 “(C) any material corporate action of the
16 bridge company, including—

17 “(i) recapitalization;

18 “(ii) a material borrowing;

19 “(iii) termination of an intercompany
20 debt or guarantee;

21 “(iv) a transfer of a substantial por-
22 tion of the assets of the bridge company;
23 or

24 “(v) the issuance or sale of any secu-
25 rities of the bridge company;

1 “(4) that any sale of any equity securities of
2 the bridge company shall not be consummated until
3 the special trustee consults with the Federal Deposit
4 Insurance Corporation and the Board regarding
5 such sale and discloses the results of such consulta-
6 tion with the court;

7 “(5) that, subject to reserves for payments per-
8 mitted under paragraph (1) provided for in the trust
9 agreement, the proceeds of the sale of any equity se-
10 curities of the bridge company by the special trustee
11 be held in trust for the benefit of or transferred to
12 the estate;

13 “(6) the process and guidelines for the replace-
14 ment of the special trustee; and

15 “(7) that the property held in trust by the spe-
16 cial trustee is subject to distribution in accordance
17 with subsection (c).

18 “(c)(1) The special trustee shall distribute the assets
19 held in trust—

20 “(A) if the court confirms a plan in the case,
21 in accordance with the plan on the effective date of
22 the plan; or

23 “(B) if the case is converted to a case under
24 chapter 7, as ordered by the court.

1 “(2) As soon as practicable after a final distribution
2 under paragraph (1), the office of the special trustee shall
3 terminate, except as may be necessary to wind up and con-
4 clude the business and financial affairs of the trust.

5 “(d) After a transfer to the special trustee under this
6 section, the special trustee shall be subject only to applica-
7 ble nonbankruptcy law, and the actions and conduct of
8 the special trustee shall no longer be subject to approval
9 by the court in the case under this subchapter.

10 **“§ 1187. Temporary and supplemental automatic stay;**
11 **assumed debt**

12 “(a)(1) A petition filed under section 1183 operates
13 as a stay, applicable to all entities, of the termination, ac-
14 celeration, or modification of any debt, contract, lease, or
15 agreement of the kind described in paragraph (2), or of
16 any right or obligation under any such debt, contract,
17 lease, or agreement, solely because of—

18 “(A) a default by the debtor under any such
19 debt, contract, lease, or agreement; or

20 “(B) a provision in such debt, contract, lease,
21 or agreement, or in applicable nonbankruptcy law,
22 that is conditioned on—

23 “(i) the insolvency or financial condition of
24 the debtor at any time before the closing of the
25 case;

1 “(ii) the commencement of a case under
2 this title concerning the debtor;

3 “(iii) the appointment of or taking posses-
4 sion by a trustee in a case under this title con-
5 cerning the debtor or by a custodian before the
6 commencement of the case; or

7 “(iv) a credit rating agency rating, or ab-
8 sence or withdrawal of a credit rating agency
9 rating—

10 “(I) of the debtor at any time after
11 the commencement of the case;

12 “(II) of an affiliate during the period
13 from the commencement of the case until
14 48 hours after such order is entered;

15 “(III) of the bridge company while the
16 trustee or the special trustee is a direct or
17 indirect beneficial holder of more than 50
18 percent of the equity securities of—

19 “(aa) the bridge company; or

20 “(bb) the affiliate, if all of the di-
21 rect or indirect interests in the affil-
22 iate that are property of the estate
23 are transferred under section 1185; or

24 “(IV) of an affiliate while the trustee
25 or the special trustee is a direct or indirect

1 beneficial holder of more than 50 percent
2 of the equity securities of—

3 “(aa) the bridge company; or

4 “(bb) the affiliate, if all of the di-
5 rect or indirect interests in the affil-
6 iate that are property of the estate
7 are transferred under section 1185.

8 “(2) A debt, contract, lease, or agreement described
9 in this paragraph is—

10 “(A) any debt (other than capital structure
11 debt), executory contract, or unexpired lease of the
12 debtor (other than a qualified financial contract);

13 “(B) any agreement under which the debtor
14 issued or is obligated for debt (other than capital
15 structure debt);

16 “(C) any debt, executory contract, or unexpired
17 lease of an affiliate (other than a qualified financial
18 contract); or

19 “(D) any agreement under which an affiliate
20 issued or is obligated for debt.

21 “(3) The stay under this subsection terminates—

22 “(A) for the benefit of the debtor, upon the ear-
23 liest of—

24 “(i) 48 hours after the commencement of
25 the case;

1 “(ii) assumption of the debt, contract,
2 lease, or agreement by the bridge company
3 under an order authorizing a transfer under
4 section 1185;

5 “(iii) a final order of the court denying the
6 request for a transfer under section 1185; or

7 “(iv) the time the case is dismissed; and

8 “(B) for the benefit of an affiliate, upon the
9 earliest of—

10 “(i) the entry of an order authorizing a
11 transfer under section 1185 in which the direct
12 or indirect interests in the affiliate that are
13 property of the estate are not transferred under
14 section 1185;

15 “(ii) a final order by the court denying the
16 request for a transfer under section 1185;

17 “(iii) 48 hours after the commencement of
18 the case if the court has not ordered a transfer
19 under section 1185; or

20 “(iv) the time the case is dismissed.

21 “(4) Subsections (d), (e), (f), and (g) of section 362
22 apply to a stay under this subsection.

23 “(b) A debt, executory contract (other than a quali-
24 fied financial contract), or unexpired lease of the debtor,
25 or an agreement under which the debtor has issued or is

1 obligated for any debt, may be assumed by a bridge com-
2 pany in a transfer under section 1185 notwithstanding
3 any provision in an agreement or in applicable nonbank-
4 ruptcy law that—

5 “(1) prohibits, restricts, or conditions the as-
6 signment of the debt, contract, lease, or agreement;
7 or

8 “(2) accelerates, terminates, or modifies, or
9 permits a party other than the debtor to terminate
10 or modify, the debt, contract, lease, or agreement on
11 account of—

12 “(A) the assignment of the debt, contract,
13 lease, or agreement; or

14 “(B) a change in control of any party to
15 the debt, contract, lease, or agreement.

16 “(c)(1) A debt, contract, lease, or agreement of the
17 kind described in subparagraph (A) or (B) of subsection
18 (a)(2) may not be accelerated, terminated, or modified,
19 and any right or obligation under such debt, contract,
20 lease, or agreement may not be accelerated, terminated,
21 or modified, as to the bridge company solely because of
22 a provision in the debt, contract, lease, or agreement or
23 in applicable nonbankruptcy law—

24 “(A) of the kind described in subsection
25 (a)(1)(B) as applied to the debtor;

1 “(B) that prohibits, restricts, or conditions the
2 assignment of the debt, contract, lease, or agree-
3 ment; or

4 “(C) that accelerates, terminates, or modifies,
5 or permits a party other than the debtor to termi-
6 nate or modify, the debt, contract, lease or agree-
7 ment on account of—

8 “(i) the assignment of the debt, contract,
9 lease, or agreement; or

10 “(ii) a change in control of any party to
11 the debt, contract, lease, or agreement.

12 “(2) If there is a default by the debtor under a provi-
13 sion other than the kind described in paragraph (1) in
14 a debt, contract, lease or agreement of the kind described
15 in subparagraph (A) or (B) of subsection (a)(2), the
16 bridge company may assume such debt, contract, lease,
17 or agreement only if the bridge company—

18 “(A) shall cure the default;

19 “(B) compensates, or provides adequate assur-
20 ance in connection with a transfer under section
21 1185 that the bridge company will promptly com-
22 pensate, a party other than the debtor to the debt,
23 contract, lease, or agreement, for any actual pecu-
24 niary loss to the party resulting from the default;
25 and

1 “(C) provides adequate assurance in connection
2 with a transfer under section 1185 of future per-
3 formance under the debt, contract, lease, or agree-
4 ment, as determined by the court under section
5 1185(c)(4).

6 **“§ 1188. Treatment of qualified financial contracts**
7 **and affiliate contracts**

8 “(a) Notwithstanding sections 362(b)(6), 362(b)(7),
9 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and
10 561, a petition filed under section 1183 operates as a stay,
11 during the period specified in section 1187(a)(3)(A), ap-
12 plicable to all entities, of the exercise of a contractual
13 right—

14 “(1) to cause the modification, liquidation, ter-
15 mination, or acceleration of a qualified financial con-
16 tract of the debtor or an affiliate;

17 “(2) to offset or net out any termination value,
18 payment amount, or other transfer obligation arising
19 under or in connection with a qualified financial con-
20 tract of the debtor or an affiliate; or

21 “(3) under any security agreement or arrange-
22 ment or other credit enhancement forming a part of
23 or related to a qualified financial contract of the
24 debtor or an affiliate.

1 “(b)(1) During the period specified in section
2 1187(a)(3)(A), the trustee or the affiliate shall perform
3 all payment and delivery obligations under such qualified
4 financial contract of the debtor or the affiliate, as the case
5 may be, that become due after the commencement of the
6 case. The stay provided under subsection (a) terminates
7 as to a qualified financial contract of the debtor or an
8 affiliate immediately upon the failure of the trustee or the
9 affiliate, as the case may be, to perform any such obliga-
10 tion during such period.

11 “(2) Any failure by a counterparty to any qualified
12 financial contract of the debtor or any affiliate to perform
13 any payment or delivery obligation under such qualified
14 financial contract, including during the pendency of the
15 stay provided under subsection (a), shall constitute a
16 breach of such qualified financial contract by the
17 counterparty.

18 “(c) Subject to the court’s approval, a qualified finan-
19 cial contract between an entity and the debtor may be as-
20 signed to or assumed by the bridge company in a transfer
21 under, and in accordance with, section 1185 if and only
22 if—

23 “(1) all qualified financial contracts between
24 the entity and the debtor are assigned to and as-

1 sumed by the bridge company in the transfer under
2 section 1185;

3 “(2) all claims of the entity against the debtor
4 in respect of any qualified financial contract between
5 the entity and the debtor (other than any claim that,
6 under the terms of the qualified financial contract,
7 is subordinated to the claims of general unsecured
8 creditors) are assigned to and assumed by the bridge
9 company;

10 “(3) all claims of the debtor against the entity
11 under any qualified financial contract between the
12 entity and the debtor are assigned to and assumed
13 by the bridge company; and

14 “(4) all property securing or any other credit
15 enhancement furnished by the debtor for any quali-
16 fied financial contract described in paragraph (1) or
17 any claim described in paragraph (2) or (3) under
18 any qualified financial contract between the entity
19 and the debtor is assigned to and assumed by the
20 bridge company.

21 “(d) Notwithstanding any provision of a qualified fi-
22 nancial contract or of applicable nonbankruptcy law, a
23 qualified financial contract of the debtor that is assumed
24 or assigned in a transfer under section 1185 may not be
25 accelerated, terminated, or modified, after the entry of the

1 order approving a transfer under section 1185, and any
2 right or obligation under the qualified financial contract
3 may not be accelerated, terminated, or modified, after the
4 entry of the order approving a transfer under section 1185
5 solely because of a condition described in section
6 1187(c)(1), other than a condition of the kind specified
7 in section 1187(b) that occurs after property of the estate
8 no longer includes a direct beneficial interest or an indi-
9 rect beneficial interest through the special trustee, in more
10 than 50 percent of the equity securities of the bridge com-
11 pany.

12 “(e) Notwithstanding any provision of any agreement
13 or in applicable nonbankruptcy law, an agreement of an
14 affiliate (including an executory contract, an unexpired
15 lease, qualified financial contract, or an agreement under
16 which the affiliate issued or is obligated for debt) and any
17 right or obligation under such agreement may not be ac-
18 celerated, terminated, or modified, solely because of a con-
19 dition described in section 1187(c)(1), other than a condi-
20 tion of the kind specified in section 1187(b) that occurs
21 after the bridge company is no longer a direct or indirect
22 beneficial holder of more than 50 percent of the equity
23 securities of the affiliate, at any time after the commence-
24 ment of the case if—

1 “(1) all direct or indirect interests in the affil-
2 iate that are property of the estate are transferred
3 under section 1185 to the bridge company within the
4 period specified in subsection (a);

5 “(2) the bridge company assumes—

6 “(A) any guarantee or other credit en-
7 hancement issued by the debtor relating to the
8 agreement of the affiliate; and

9 “(B) any obligations in respect of rights of
10 setoff, netting arrangement, or debt of the debt-
11 or that directly arises out of or directly relates
12 to the guarantee or credit enhancement; and

13 “(3) any property of the estate that directly
14 serves as collateral for the guarantee or credit en-
15 hancement is transferred to the bridge company.

16 **“§ 1189. Licenses, permits, and registrations**

17 “(a) Notwithstanding any otherwise applicable non-
18 bankruptcy law, if a request is made under section 1185
19 for a transfer of property of the estate, any Federal, State,
20 or local license, permit, or registration that the debtor or
21 an affiliate had immediately before the commencement of
22 the case and that is proposed to be transferred under sec-
23 tion 1185 may not be accelerated, terminated, or modified
24 at any time after the request solely on account of—

1 “(1) the insolvency or financial condition of the
2 debtor at any time before the closing of the case;

3 “(2) the commencement of a case under this
4 title concerning the debtor;

5 “(3) the appointment of or taking possession by
6 a trustee in a case under this title concerning the
7 debtor or by a custodian before the commencement
8 of the case; or

9 “(4) a transfer under section 1185.

10 “(b) Notwithstanding any otherwise applicable non-
11 bankruptcy law, any Federal, State, or local license, per-
12 mit, or registration that the debtor had immediately before
13 the commencement of the case that is included in a trans-
14 fer under section 1185 shall be valid and all rights and
15 obligations thereunder shall vest in the bridge company.

16 **“§ 1190. Exemption from securities laws**

17 “For purposes of section 1145, a security of the
18 bridge company shall be deemed to be a security of a suc-
19 cessor to the debtor under a plan if the court approves
20 the disclosure statement for the plan as providing ade-
21 quate information (as defined in section 1125(a)) about
22 the bridge company and the security.

23 **“§ 1191. Inapplicability of certain avoiding powers**

24 “A transfer made or an obligation incurred by the
25 debtor to an affiliate prior to or after the commencement

1 of the case, including any obligation released by the debtor
2 or the estate to or for the benefit of an affiliate, in con-
3 templation of or in connection with a transfer under sec-
4 tion 1185 is not avoidable under section 544, 547,
5 548(a)(1)(B), or 549, or under any similar nonbankruptcy
6 law.

7 **“§ 1192. Consideration of financial stability**

8 “The court may consider the effect that any decision
9 in connection with this subchapter may have on financial
10 stability in the United States.”.

11 **SEC. 4. AMENDMENTS TO TITLE 28, UNITED STATES CODE.**

12 (a) AMENDMENT TO CHAPTER 13.—Chapter 13 of
13 title 28, United States Code, is amended by adding at the
14 end the following:

15 **“§ 298. Judge for a case under subchapter V of chap-**
16 **ter 11 of title 11**

17 “(a)(1) Notwithstanding section 295, the Chief Jus-
18 tice of the United States shall designate not fewer than
19 10 bankruptcy judges to be available to hear a case under
20 subchapter V of chapter 11 of title 11. Bankruptcy judges
21 may request to be considered by the Chief Justice of the
22 United States for such designation.

23 “(2) Notwithstanding section 155, a case under sub-
24 chapter V of chapter 11 of title 11 shall be heard under
25 section 157 by a bankruptcy judge designated under para-

1 graph (1), who shall be randomly assigned to hear such
2 case by the chief judge of the court of appeals for the cir-
3 cuit embracing the district in which the case is pending.
4 To the greatest extent practicable, the approvals required
5 under section 155 should be obtained.

6 “(3) If the bankruptcy judge assigned to hear a case
7 under paragraph (2) is not assigned to the district in
8 which the case is pending, the bankruptcy judge shall be
9 temporarily assigned to the district.

10 “(b) A case under subchapter V of chapter 11 of title
11 11, and all proceedings in the case, shall take place in
12 the district in which the case is pending.

13 “(c) In this section, the term ‘covered financial cor-
14 poration’ has the meaning given that term in section
15 101(9A) of title 11.”.

16 (b) AMENDMENT TO SECTION 1334 OF TITLE 28.—
17 Section 1334 of title 28, United States Code, is amended
18 by adding at the end the following:

19 “(f) This section does not grant jurisdiction to the
20 district court after a transfer pursuant to an order under
21 section 1185 of title 11 of any proceeding related to a spe-
22 cial trustee appointed, or to a bridge company formed, in
23 connection with a case under subchapter V of chapter 11
24 of title 11.”.

25 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

1 (1) The table of sections of chapter 13 of title
2 28, United States Code, is amended by adding at
3 the end the following:

“298. Judge for a case under subchapter V of chapter 11 of title 11.”.

4 (2) The table of subchapters of chapter 11 of
5 title 11, United States Code, is amended by adding
6 at the end the following:

“SUBCHAPTER V—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF
A COVERED FINANCIAL CORPORATION

“1181. Inapplicability of other sections.

“1182. Definitions for this subchapter.

“1183. Commencement of a case concerning a covered financial corporation.

“1184. Regulators.

“1185. Special transfer of property of the estate.

“1186. Special trustee.

“1187. Temporary and supplemental automatic stay; assumed debt.

“1188. Treatment of qualified financial contracts and affiliate contracts.

“1189. Licenses, permits, and registrations.

“1190. Exemption from securities laws.

“1191. Inapplicability of certain avoiding powers.

“1192. Consideration of financial stability.”.

1 TITLE XI

2 ADDITIONAL GENERAL PROVISIONS

3 REFERENCES TO ACT

4 SEC. 1101. Except as expressly provided otherwise,
5 consistent with sections 746 and 819, any reference to
6 “this Act” contained in this division shall be treated as
7 referring only to the provisions of this division.

8 REFERENCE TO REPORT

9 SEC. 1102. Any reference to a “report accompanying
10 this Act” contained in this division shall be treated as a
11 reference to House Report 115–234. The effect of such
12 Report shall be limited to this division and shall apply for
13 purposes of determining the allocation of funds provided
14 by, and the implementation of, this division.

15 SPENDING REDUCTION ACCOUNT

16 SEC. 1103. \$0.

17 This division may be cited as the “Financial Services
18 and General Government Appropriations Act, 2018”.

19 **DIVISION E—DEPARTMENT OF HOME-**
20 **LAND SECURITY APPROPRIATIONS**
21 **ACT, 2018**

22 The following sums are appropriated, out of any
23 money in the Treasury not otherwise appropriated, for the
24 Department of Homeland Security for the fiscal year end-
25 ing September 30, 2018, and for other purposes, namely:

1 TITLE I
2 DEPARTMENTAL MANAGEMENT, OPERATIONS,
3 INTELLIGENCE, AND OVERSIGHT
4 OFFICE OF THE SECRETARY AND EXECUTIVE
5 MANAGEMENT
6 OPERATIONS AND SUPPORT

7 For necessary expenses of the Office of the Secretary
8 and for executive management for operations and support,
9 \$138,997,000: *Provided*, That not to exceed \$30,000 shall
10 be for official reception and representation expenses.

11 MANAGEMENT DIRECTORATE
12 OPERATIONS AND SUPPORT

13 For necessary expenses of the Management Direc-
14 torate for operations and support, \$696,131,000, of which
15 \$227,516,000 shall remain available until September 30,
16 2019: *Provided*, That not to exceed \$2,000 shall be for
17 official reception and representation expenses.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the Management Direc-
20 torate for procurement, construction, and improvements,
21 \$27,755,000, to remain available until September 30,
22 2019.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Management Direc-
3 torate for research and development, \$2,545,000, to re-
4 main available until September 30, 2019.

5 INTELLIGENCE, ANALYSIS, AND OPERATIONS

6 COORDINATION

7 OPERATIONS AND SUPPORT

8 For necessary expenses of the Office of Intelligence
9 and Analysis and the Office of Operations Coordination
10 for operations and support, \$252,405,000, of which
11 \$77,915,000 shall remain available until September 30,
12 2019: *Provided*, That not to exceed \$3,825 shall be for
13 official reception and representation expenses.

14 OFFICE OF INSPECTOR GENERAL

15 OPERATIONS AND SUPPORT

16 For necessary expenses of the Office of Inspector
17 General for operations and support, \$154,830,000: *Pro-*
18 *vided*, That not to exceed \$300,000 may be used for cer-
19 tain confidential operational expenses, including the pay-
20 ment of informants, to be expended at the direction of the
21 Inspector General.

22 ADMINISTRATIVE PROVISIONS

23 SEC. 101. Hereafter, the Secretary of Homeland Se-
24 curity shall submit to the Committees on Appropriations
25 of the Senate and the House of Representatives, at the

1 time the President's budget proposal is submitted pursu-
2 ant to section 1105(a) of title 31, United States Code,
3 the Future Years Homeland Security Program, as author-
4 ized by section 874 of the Homeland Security Act of 2002
5 (6 U.S.C. 454).

6 SEC. 102. Hereafter, the Chief Financial Officer of
7 the Department of Homeland Security shall submit to the
8 Committees on Appropriations of the Senate and the
9 House of Representatives a monthly budget and staffing
10 report that includes total obligations of the Department
11 for that month and for the fiscal year at the appropriation
12 and program, project, and activity levels, by the source
13 year of the appropriation, not later than 30 days after the
14 last day of each month.

15 SEC. 103. (a) Notwithstanding section 518 of division
16 F of the Consolidated Appropriations Act, 2016 (Public
17 Law 114–113), the Secretary of Homeland Security shall
18 submit a report not later than October 15, 2018, to the
19 Inspector General of the Department of Homeland Secu-
20 rity listing all grants and contracts awarded by any means
21 other than full and open competition during fiscal years
22 2017 and 2018.

23 (b) The Inspector General shall review the report re-
24 quired by subsection (a) to assess departmental compli-
25 ance with applicable laws and regulations and report the

1 results of that review to the Committees on Appropriations
2 of the Senate and the House of Representatives not later
3 than February 15, 2019.

4 SEC. 104. The Secretary of Homeland Security shall
5 require that all contracts of the Department of Homeland
6 Security that provide award fees link such fees to success-
7 ful acquisition outcomes, which shall be specified in terms
8 of cost, schedule, and performance.

9 SEC. 105. The Secretary of Homeland Security, in
10 consultation with the Secretary of the Treasury, shall no-
11 tify the Committees on Appropriations of the Senate and
12 the House of Representatives of any proposed transfers
13 of funds available under section 9703(g)(4)(B) of title 31,
14 United States Code (as added by Public Law 102–393)
15 from the Department of the Treasury Forfeiture Fund to
16 any agency within the Department of Homeland Security:
17 *Provided*, That none of the funds identified for such a
18 transfer may be obligated until the Committees on Appro-
19 priations of the Senate and the House of Representatives
20 are notified of the proposed transfers.

21 SEC. 106. (a) All official costs associated with the
22 use of Government aircraft by Department of Homeland
23 Security personnel to support official travel of the Sec-
24 retary and the Deputy Secretary shall be paid from
25 amounts made available for the Office of the Secretary.

1 (b) A travel report of all direct and indirect costs of
2 official and nonofficial travel by the Secretary and Deputy
3 Secretary by appropriation to the Committees on Appro-
4 priations of the Senate and the House of Representatives
5 not later than 30 days after the end of fiscal year 2018.

6 SEC. 107. (a) Not later than 30 days after the date
7 of enactment of this Act, the Secretary of Homeland Secu-
8 rity shall submit to the Committees on Appropriations of
9 the Senate and the House of Representatives, the Commit-
10 tees on the Judiciary of the Senate and the House of Rep-
11 resentatives, the Committee on Homeland Security and
12 Governmental Affairs of the Senate, and the Committee
13 on Homeland Security of the House of Representatives,
14 a report for fiscal year 2017 on visa overstay data by
15 country as required by section 1376 of title 8, United
16 States Code: *Provided*, That the report on visa overstay
17 data shall also include—

18 (1) overstays from all nonimmigrant visa cat-
19 egories under the immigration laws, delineated by
20 each of the classes and sub-classes of such cat-
21 egories; and

22 (2) numbers as well as rates of overstays for
23 each class and sub-class of such nonimmigrant cat-
24 egories on a per-country basis.

1 (b) The Secretary of Homeland Security shall publish
2 on the Department's website the metrics developed to
3 measure the effectiveness of security between the ports of
4 entry, including the methodology and data supporting the
5 resulting measures.

6 TITLE II
7 SECURITY, ENFORCEMENT, AND
8 INVESTIGATIONS
9 U.S. CUSTOMS AND BORDER PROTECTION
10 OPERATIONS AND SUPPORT

11 For necessary expenses of U.S. Customs and Border
12 Protection for operations and support, including the trans-
13 portation of unaccompanied minor aliens; the provision of
14 air and marine support to Federal, State, and local agen-
15 cies in the enforcement or administration of laws enforced
16 by the Department of Homeland Security; at the discre-
17 tion of the Secretary of Homeland Security, the provision
18 of such support to Federal, State, and local agencies in
19 other law enforcement and emergency humanitarian ef-
20 forts; the purchase and lease of up to 7,500 (6,500 for
21 replacement only) police-type vehicles; the purchase, main-
22 tenance, or operation of marine vessels, aircraft, and un-
23 manned aerial systems; and contracting with individuals
24 for personal services abroad; \$11,553,315,000; of which
25 \$3,274,000 shall be derived from the Harbor Maintenance

1 Trust Fund for administrative expenses related to the col-
2 lection of the Harbor Maintenance Fee pursuant to section
3 9505(c)(3) of the Internal Revenue Code of 1986 (26
4 U.S.C. 9505(c)(3)) and notwithstanding section
5 1511(e)(1) of the Homeland Security Act of 2002 (6
6 U.S.C. 551(e)(1)); of which \$681,441,500 shall be avail-
7 able until September 30, 2019; and of which such sums
8 as become available in the Customs User Fee Account, ex-
9 cept sums subject to section 13031(f)(3) of the Consoli-
10 dated Omnibus Budget Reconciliation Act of 1985 (19
11 U.S.C. 58c(f)(3)), shall be derived from that account: *Pro-*
12 *vided*, That not to exceed \$34,425 shall be for official re-
13 ception and representation expenses: *Provided further*,
14 That not to exceed \$15,000,000 may be transferred to the
15 Bureau of Indian Affairs for the maintenance and repair
16 of roads on Native American reservations, as required by
17 the Border Patrol: *Provided further*, That not to exceed
18 \$150,000 shall be available for payment for rental space
19 in connection with preclearance operations: *Provided fur-*
20 *ther*, That not to exceed \$1,000,000 shall be for awards
21 of compensation to informants, to be accounted for solely
22 under the certificate of the Secretary of Homeland Secu-
23 rity.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For U.S. Customs and Border Protection for pro-
3 curement, construction and improvements, in addition to
4 amounts otherwise made available under this heading by
5 the Department of Homeland Security Border Infrastruc-
6 ture Construction Appropriations Act, 2018,
7 \$437,480,000, of which \$377,705,000 shall remain avail-
8 able until September 30, 2020, and of which \$59,775,000
9 shall remain available until September 30, 2022: *Provided*,
10 That such aggregate amount shall be available as follows:
11 \$8,955,000 for Cross Border Tunnel Threat, \$17,438,000
12 for Integrated Fixed Towers, \$1,600,000 for Mobile Video
13 Surveillance Systems, \$20,000,000 for Unattended
14 Ground Sensors, \$49,738,000 for border road construc-
15 tion, \$33,193,000 for Remote Video Surveillance Systems,
16 \$109,240,000 for non-intrusive inspection systems,
17 \$55,530,000 for two multi-role enforcement aircraft,
18 \$3,300,000 for FAA Next Generation radar systems,
19 \$7,800,000 for various sensor upgrades, \$14,034,000 for
20 one medium-lift helicopter, \$13,250,000 for Air and Ma-
21 rine tactical communications, \$12,421,000 for two light
22 enforcement helicopters, \$3,573,000 for coastal intercept-
23 tors, \$1,200,000 for Department of Defense reuse,
24 \$45,000,000 for the Brown Field Border Patrol Station,

1 \$14,775,000 for Office of Field Operations Facilities, and
2 \$26,433,000 for revenue modernization.

3 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

4 OPERATIONS AND SUPPORT

5 For necessary expenses of U.S. Immigration and
6 Customs Enforcement for operations and support, includ-
7 ing the purchase and lease of up to 3,790 (2,350 for re-
8 placement only) police-type vehicles; overseas vetted units;
9 and maintenance, minor construction, and minor leasehold
10 improvements at owned and leased facilities;
11 \$7,002,043,000; of which \$6,000,000 shall remain avail-
12 able until expended for efforts to enforce laws against
13 forced child labor; of which \$33,700,000 shall remain
14 available until September 30, 2019; of which not less than
15 \$4,413,244,000 shall be for enforcement, detention, and
16 removal operations, including transportation of unaccom-
17 panied minor aliens: *Provided*, That not to exceed \$11,475
18 shall be for official reception and representation expenses:
19 *Provided further*, That not to exceed \$10,000,000 shall be
20 available until expended for conducting special operations
21 under section 3131 of the Customs Enforcement Act of
22 1986 (19 U.S.C. 2081): *Provided further*, That not to ex-
23 ceed \$2,000,000 shall be for awards of compensation to
24 informants, to be accounted for solely under the certificate
25 of the Secretary of Homeland Security: *Provided further*,

1 That not to exceed \$11,216,000 shall be available to fund
2 or reimburse other Federal agencies for the costs associ-
3 ated with the care, maintenance, and repatriation of
4 smuggled aliens unlawfully present in the United States.

5 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

6 For necessary expenses of U.S. Immigration and
7 Customs Enforcement for procurement, construction, and
8 improvements, \$52,899,000, to remain available until Sep-
9 tember 30, 2020.

10 TRANSPORTATION SECURITY ADMINISTRATION

11 OPERATIONS AND SUPPORT

12 For necessary expenses of the Transportation Secu-
13 rity Administration for operations and support,
14 \$7,082,874,000, of which \$1,770,719,000 shall remain
15 available until September 30, 2019: *Provided*, That not
16 to exceed \$7,650 shall be for official reception and rep-
17 resentation expenses: *Provided further*, That security serv-
18 ice fees authorized under section 44940 of title 49, United
19 States Code, shall be credited to this appropriation as off-
20 setting collections and shall be available only for aviation
21 security: *Provided further*, That the sum appropriated
22 under this heading from the general fund shall be reduced
23 on a dollar-for-dollar basis as such offsetting collections
24 are received during fiscal year 2018 so as to result in a

1 final fiscal year appropriation from the general fund esti-
2 mated at not more than \$4,612,874,000.

3 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

4 For necessary expenses of the Transportation Secu-
5 rity Administration for procurement, construction, and
6 improvements, \$53,314,000, to remain available until Sep-
7 tember 30, 2020.

8 RESEARCH AND DEVELOPMENT

9 For necessary expenses of the Transportation Secu-
10 rity Administration for research and development,
11 \$20,190,000, to remain available until September 30,
12 2019.

13 COAST GUARD

14 OPERATING EXPENSES

15 For necessary expenses for the operations and main-
16 tenance of the Coast Guard, not otherwise provided for;
17 purchase or lease of not to exceed 25 passenger motor ve-
18 hicles, which shall be for replacement only; purchase or
19 lease of small boats for contingent and emergent require-
20 ments (at a unit cost of not more than \$700,000) and
21 repairs and service-life replacements, not to exceed a total
22 of \$31,000,000; purchase, lease, or improvement of other
23 equipment (at a unit cost of not more than \$250,000);
24 minor shore construction projects not exceeding
25 \$1,000,000 in total cost on any location; payments pursu-

1 ant to section 156 of Public Law 97–377 (42 U.S.C. 402
2 note; 96 Stat. 1920); and recreation and welfare;
3 \$7,163,464,000; of which \$340,000,000 shall be for de-
4 fense-related activities; of which \$24,500,000 shall be de-
5 rived from the Oil Spill Liability Trust Fund to carry out
6 the purposes of section 1012(a)(5) of the Oil Pollution Act
7 of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That not to
8 exceed \$23,000 shall be for official reception and represen-
9 tation expenses.

10 ENVIRONMENTAL COMPLIANCE AND RESTORATION

11 For necessary expenses to carry out the environ-
12 mental compliance and restoration functions of the Coast
13 Guard under chapter 19 of title 14, United States Code,
14 \$13,397,000, to remain available until September 30,
15 2022.

16 RESERVE TRAINING

17 For necessary expenses of the Coast Guard Reserve;
18 operations and maintenance of the Coast Guard Reserve
19 Program; personnel and training costs; and equipment
20 and services; \$114,875,000.

21 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses of the Coast Guard for acqui-
23 sition, construction, renovation, and improvement of aids
24 to navigation, shore facilities (including facilities at De-
25 partment of Defense installations used by the Coast

1 Guard), vessels, and aircraft, including equipment related
2 thereto, \$1,298,745,000; of which \$20,000,000 shall be
3 derived from the Oil Spill Liability Trust Fund to carry
4 out the purposes of section 1012(a)(5) of the Oil Pollution
5 Act of 1990 (33 U.S.C. 2712(a)(5)); and of which
6 \$1,256,655,000 shall be available until September 30,
7 2022.

8 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

9 For necessary expenses of the Coast Guard for re-
10 search, development, test, and evaluation; and for mainte-
11 nance, rehabilitation, lease, and operation of facilities and
12 equipment; \$18,641,000; to remain available until Sep-
13 tember 30, 2020, of which \$500,000 shall be derived from
14 the Oil Spill Liability Trust Fund to carry out the pur-
15 poses of section 1012(a)(5) of the Oil Pollution Act of
16 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may
17 be credited to and used for the purposes of this appropria-
18 tion funds received from State and local governments,
19 other public authorities, private sources, and foreign coun-
20 tries for expenses incurred for research, development, test-
21 ing, and evaluation.

22 RETIRED PAY

23 For retired pay, including the payment of obligations
24 otherwise chargeable to lapsed appropriations for this pur-
25 pose, payments under the Retired Serviceman's Family

1 Protection and Survivor Benefits Plans, payment for ca-
2 reer status bonuses, concurrent receipts, and combat-re-
3 lated special compensation, and payments for medical care
4 of retired personnel and their dependents under chapter
5 55 of title 10, United States Code, \$1,673,000,000, to re-
6 main available until expended.

7 UNITED STATES SECRET SERVICE

8 OPERATIONS AND SUPPORT

9 For necessary expenses of the United States Secret
10 Service for operations and support, including purchase of
11 not to exceed 652 vehicles for police-type use for replace-
12 ment only; hire of passenger motor vehicles; purchase of
13 motorcycles made in the United States; hire of aircraft;
14 rental of buildings in the District of Columbia; fencing,
15 lighting, guard booths, and other facilities on private or
16 other property not in Government ownership or control,
17 as may be necessary to perform protective functions; con-
18 duct of and participation in firearms matches; presen-
19 tation of awards; conduct of behavioral research in sup-
20 port of protective intelligence and operations; payment in
21 advance for commercial accommodations as may be nec-
22 essary to perform protective functions; and payment, with-
23 out regard to section 5702 of title 5, United States Code,
24 of subsistence expenses of employees who are on protective
25 missions, whether at or away from their duty stations;

1 \$1,893,215,000; of which \$33,692,000 shall remain avail-
2 able until September 30, 2019, of which \$6,000,000 shall
3 be for a grant for activities related to investigations of
4 missing and exploited children; and of which not less than
5 \$13,869,000 shall be for activities related to training in
6 electronic crimes investigations and forensics: *Provided*,
7 That not to exceed \$19,125 shall be for official reception
8 and representation expenses: *Provided further*, That not
9 to exceed \$100,000 shall be to provide technical assistance
10 and equipment to foreign law enforcement organizations
11 in counterfeit investigations.

12 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

13 For necessary expenses of the United States Secret
14 Service for procurement, construction, and improvements,
15 \$64,030,000, to remain available until September 30,
16 2020.

17 RESEARCH AND DEVELOPMENT

18 For necessary expenses of the United States Secret
19 Service for research and development, \$250,000, to re-
20 main available until September 30, 2019.

21 ADMINISTRATIVE PROVISIONS

22 SEC. 201. Section 201 of the Department of Home-
23 land Security Appropriations Act, 2017 (division F of
24 Public Law 115–31), related to overtime compensation
25 limitations, shall apply with respect to funds made avail-

1 able in this Act in the same manner as such section ap-
2 plied to funds made available in that Act.

3 SEC. 202. Funding made available under the heading
4 “U.S. Customs and Border Protection—Operations and
5 Support” and “U.S. Customs and Border Protection—
6 Procurement, Construction, and Improvements” shall be
7 available for customs expenses when necessary to maintain
8 operations and prevent adverse personnel actions in Puer-
9 to Rico in addition to funding provided by 48 U.S.C. 740.

10 SEC. 203. Hereafter, no U.S. Customs and Border
11 Protection aircraft or other related equipment, with the
12 exception of aircraft that are one of a kind and have been
13 identified as excess to U.S. Customs and Border Protec-
14 tion requirements and aircraft that have been damaged
15 beyond repair, shall be transferred to any other Federal
16 agency, department, or office outside of the Department
17 of Homeland Security without prior notice to the Commit-
18 tees on Appropriations of the Senate and the House of
19 Representatives.

20 SEC. 204. As authorized by section 601(b) of the
21 United States-Colombia Trade Promotion Agreement Im-
22 plementation Act (Public Law 112–42), fees collected
23 from passengers arriving from Canada, Mexico, or an ad-
24 jacent island pursuant to section 13031(a)(5) of the Con-

1 consolidated Omnibus Budget Reconciliation Act of 1985 (19
2 U.S.C. 58c(a)(5)) shall be available until expended.

3 SEC. 205. For an additional amount for “U.S. Cus-
4 toms and Border Protection—Operations and Support”,
5 \$39,000,000, to remain available until expended, to be re-
6 duced by amounts collected and credited to this appropria-
7 tion in fiscal year 2018 from amounts authorized to be
8 collected by section 286(i) of the Immigration and Nation-
9 ality Act (8 U.S.C. 1356(i)), section 10412 of the Farm
10 Security and Rural Investment Act of 2002 (7 U.S.C.
11 8311), and section 817 of the Trade Facilitation and
12 Trade Enforcement Act of 2015 (Public Law 114–125):
13 *Provided*, That to the extent that amounts realized from
14 such collections exceed \$39,000,000, those amounts in ex-
15 cess of \$39,000,000 shall be credited to this appropriation,
16 to remain available until expended.

17 SEC. 206. None of the funds made available in this
18 Act for U.S. Customs and Border Protection may be used
19 to prevent an individual not in the business of importing
20 a prescription drug (within the meaning of section 801(g)
21 of the Federal Food, Drug, and Cosmetic Act) from im-
22 porting a prescription drug from Canada that complies
23 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
24 That this section shall apply only to individuals trans-
25 porting on their person a personal-use quantity of the pre-

1 scription drug, not to exceed a 90-day supply: *Provided*
2 *further*, That the prescription drug may not be—

3 (1) a controlled substance, as defined in section
4 102 of the Controlled Substances Act (21 U.S.C.
5 802); or

6 (2) a biological product, as defined in section
7 351 of the Public Health Service Act (42 U.S.C.
8 262).

9 SEC. 207. Notwithstanding any other provision of
10 law, none of the funds provided in this or any other Act
11 shall be used to approve a waiver of the navigation and
12 vessel-inspection laws pursuant to section 501(b) of title
13 46, United States Code, for the transportation of crude
14 oil distributed from and to the Strategic Petroleum Re-
15 serve until the Secretary of Homeland Security, after con-
16 sultation with the Secretaries of the Departments of En-
17 ergy and Transportation and representatives from the
18 United States flag maritime industry, takes adequate
19 measures to ensure the use of United States flag vessels
20 for such transportation: *Provided*, That the Secretary
21 shall notify the Committees on Appropriations of the Sen-
22 ate and the House of Representatives, the Committee on
23 Commerce, Science, and Transportation of the Senate,
24 and the Committee on Transportation and Infrastructure
25 of the House of Representatives within 2 business days

1 of any request for waivers of navigation and vessel-inspec-
2 tion laws pursuant to such section with respect to such
3 transportation, and the disposition of such requests.

4 SEC. 208. (a) None of the funds made available by
5 this Act may be used to approve, license, facilitate, author-
6 ize, or otherwise allow the trafficking or import of prop-
7 erty confiscated by the Cuban Government.

8 (b) In this section, the terms “confiscated”, “Cuban
9 Government”, “property”, and “traffic” have the mean-
10 ings given such terms in paragraphs (4), (5), (12)(A), and
11 (13), respectively, of section 4 of the Cuban Liberty and
12 Democratic Solidarity (LIBERTAD) Act of 1996 (2216
13 U.S.C. 6023).

14 SEC. 209. Without regard to the limitation as to time
15 and condition of section 503(d), the Secretary may repro-
16 gram within and transfer funds to “U.S. Immigration and
17 Customs Enforcement—Operations and Support” as nec-
18 essary to ensure the detention of aliens prioritized for re-
19 moval.

20 SEC. 210. None of the funds provided under the
21 heading “U.S. Immigration and Customs Enforcement—
22 Operations and Support” may be used to continue a dele-
23 gation of law enforcement authority authorized under sec-
24 tion 287(g) of the Immigration and Nationality Act (8
25 U.S.C. 1357(g)) if the Department of Homeland Security

1 Inspector General determines that the terms of the agree-
2 ment governing the delegation of authority have been ma-
3 terially violated.

4 SEC. 211. None of the funds provided under the
5 heading “U.S. Immigration and Customs Enforcement—
6 Operations and Support” may be used to continue any
7 contract for the provision of detention services if the two
8 most recent overall performance evaluations received by
9 the contracted facility are less than “adequate” or the
10 equivalent median score in any subsequent performance
11 evaluation system.

12 SEC. 212. Members of the House of Representatives
13 and the Senate, including the leadership; the heads of
14 Federal agencies and commissions, including the Sec-
15 retary, Deputy Secretary, Under Secretaries, and Assist-
16 ant Secretaries of the Department of Homeland Security;
17 the Attorney General, Deputy Attorney General, Assistant
18 Attorneys General, and United States Attorneys; and sen-
19 ior members of the Executive Office of the President, in-
20 cluding the Director of the Office of Management and
21 Budget, shall not be exempt from Federal passenger and
22 baggage screening.

23 SEC. 213. Notwithstanding section 44923 of title 49,
24 United States Code, for fiscal year 2018, any funds in
25 the Aviation Security Capital Fund established by section

1 44923(h) of title 49, United States Code, may be used
2 for the procurement and installation of explosives detec-
3 tion systems or for the issuance of other transaction agree-
4 ments for the purpose of funding projects described in sec-
5 tion 44923(a) of such title.

6 SEC. 214. None of the funds made available by this
7 Act under the heading “Coast Guard—Operating Ex-
8 penses” shall be for expenses incurred for recreational ves-
9 sels under section 12114 of title 46, United States Code,
10 except to the extent fees are collected from owners of
11 yachts and credited to the appropriation made available
12 by this Act under the heading “Coast Guard—Operating
13 Expenses”: *Provided*, That to the extent such fees are in-
14 sufficient to pay expenses of recreational vessel docu-
15 mentation under such section 12114, and there is a back-
16 log of recreational vessel applications, personnel per-
17 forming non-recreational vessel documentation functions
18 under subchapter II of chapter 121 of title 46, United
19 States Code, may perform documentation under section
20 12114.

21 SEC. 215. Without regard to the limitation as to time
22 and condition of section 503(d), after June 30, up to
23 \$10,000,000 may be reprogrammed to or from the Mili-
24 tary Pay and Allowances funding category within “Coast

1 Guard—Operating Expenses” in accordance with sub-
2 section (a) of section 503.

3 SEC. 216. The United States Secret Service is au-
4 thorized to obligate funds in anticipation of reimburse-
5 ments from Federal agencies and entities, as defined in
6 section 105 of title 5, United States Code, for personnel
7 receiving training sponsored by the James J. Rowley
8 Training Center, except that total obligations at the end
9 of the fiscal year shall not exceed total budgetary re-
10 sources available under the heading “United States Secret
11 Service—Operations and Support” at the end of the fiscal
12 year.

13 SEC. 217. None of the funds made available to the
14 United States Secret Service by this Act or by previous
15 appropriations Acts may be made available for the protec-
16 tion of the head of a Federal agency other than the Sec-
17 retary of Homeland Security: *Provided*, That the Director
18 of the Secret Service may enter into agreements to provide
19 such protection on a fully reimbursable basis.

20 SEC. 218. For purposes of section 503(a)(3) of this
21 Act, up to \$15,000,000 may be reprogrammed within
22 “United States Secret Service—Operations and Support”.

23 SEC. 219. Funding made available in this Act for
24 “United States Secret Service—Operations and Support”
25 is available for travel of United States Secret Service em-

1 ployees on protective missions without regard to the limi-
2 tations on such expenditures in this or any other Act if
3 the Director of the United States Secret Service or a des-
4 ignee notifies the Committees on Appropriations of the
5 Senate and the House of Representatives 10 or more days
6 in advance, or as early as practicable, prior to such ex-
7 penditures.

8 TITLE III
9 PROTECTION, PREPAREDNESS, RESPONSE, AND
10 RECOVERY

11 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE
12 OPERATIONS AND SUPPORT

13 For necessary expenses of the National Protection
14 and Programs Directorate for operations and support,
15 \$1,427,062,000, of which \$8,912,000 shall remain avail-
16 able until September 30, 2019: *Provided*, That not to ex-
17 ceed \$3,825 shall be for official reception and representa-
18 tion expenses.

19 FEDERAL PROTECTIVE SERVICE

20 The revenues and collections of security fees credited
21 to this account shall be available until expended for nec-
22 essary expenses related to the protection of federally
23 owned and leased buildings and for the operations of the
24 Federal Protective Service.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the National Protection
3 and Programs Directorate for procurement, construction,
4 and improvements, \$335,033,000, to remain available
5 until September 30, 2019.

6 RESEARCH AND DEVELOPMENT

7 For necessary expenses of the National Protection
8 and Programs Directorate for research and development,
9 \$11,126,000, to remain available until September 30,
10 2019.

11 OFFICE OF HEALTH AFFAIRS

12 OPERATIONS AND SUPPORT

13 For necessary expenses of the Office of Health Af-
14 fairs for operations and support, \$119,319,000, of which
15 \$13,520,000 shall remain available until September 30,
16 2019.

17 FEDERAL EMERGENCY MANAGEMENT AGENCY

18 OPERATIONS AND SUPPORT

19 For necessary expenses of the Federal Emergency
20 Management Agency for operations and support,
21 \$1,027,135,000: *Provided*, That not to exceed \$2,250
22 shall be for official reception and representation expenses.

23 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

24 For necessary expenses of the Federal Emergency
25 Management Agency for procurement, construction, and

1 improvements, \$76,578,000, to remain available until Sep-
2 tember 30, 2019.

3 FEDERAL ASSISTANCE

4 For activities of the Federal Emergency Management
5 Agency for Federal assistance through grants, contracts,
6 cooperative agreements, and other activities,
7 \$3,003,798,000, which shall be allocated as follows:

8 (1) \$467,000,000 for the State Homeland Secu-
9 rity Grant Program under section 2004 of the
10 Homeland Security Act of 2002 (6 U.S.C. 605), of
11 which \$55,000,000 shall be for Operation
12 Stonegarden: *Provided*, That notwithstanding sub-
13 section (c)(4) of such section 2004, for fiscal year
14 2018, the Commonwealth of Puerto Rico shall make
15 available to local and tribal governments amounts
16 provided to the Commonwealth of Puerto Rico under
17 this paragraph in accordance with subsection (c)(1)
18 of such section 2004.

19 (2) \$630,000,000 for the Urban Area Security
20 Initiative under section 2003 of the Homeland Secu-
21 rity Act of 2002 (6 U.S.C. 604), of which
22 \$50,000,000 shall be for organizations (as described
23 under section 501(c)(3) of the Internal Revenue
24 Code of 1986 and exempt from tax under section
25 501(a) of such code) determined by the Secretary of

1 Homeland Security to be at high risk of a terrorist
2 attack.

3 (3) \$100,000,000 for Public Transportation Se-
4 curity Assistance and Railroad Security Assistance
5 under sections 1406 and 1513 of the Implementing
6 Recommendations of the 9/11 Commission Act of
7 2007 (6 U.S.C. 1135 and 1163), of which
8 \$10,000,000 shall be for Amtrak security.

9 (4) \$100,000,000 for Port Security Grants in
10 accordance with section 70107 of title 46, United
11 States Code.

12 (5) \$690,000,000, to remain available until
13 September 30, 2018, of which \$345,000,000 shall be
14 for Assistance to Firefighter Grants and
15 \$345,000,000 shall be for Staffing for Adequate
16 Fire and Emergency Response Grants under sec-
17 tions 33 and 34 respectively of the Federal Fire Pre-
18 vention and Control Act of 1974 (15 U.S.C. 2229
19 and 2229a).

20 (6) \$350,000,000 for emergency management
21 performance grants under the National Flood Insur-
22 ance Act of 1968 (42 U.S.C. 4001), the Robert T.
23 Stafford Disaster Relief and Emergency Assistance
24 Act (42 U.S.C. 5121), the Earthquake Hazards Re-
25 duction Act of 1977 (42 U.S.C. 7701), 6 U.S.C.

1 762, and Reorganization Plan No. 3 of 1978 (5
2 U.S.C. App.).

3 (7) \$100,000,000 for the National Predisaster
4 Mitigation Fund under section 203 of the Robert T.
5 Stafford Disaster Relief and Emergency Assistance
6 Act (42 U.S.C. 5133), to remain available until ex-
7 pended.

8 (8) \$177,531,000 for necessary expenses for
9 Flood Hazard Mapping and Risk Analysis, in addi-
10 tion to and to supplement any other sums appro-
11 priated under the National Flood Insurance Fund,
12 and such additional sums as may be provided by
13 States or other political subdivisions for cost-shared
14 mapping activities under section 1360(f)(2) of the
15 National Flood Insurance Act of 1968 (42 U.S.C.
16 4101(f)(2)), to remain available until expended.

17 (9) \$120,000,000 for the emergency food and
18 shelter program under title III of the McKinney-
19 Vento Homeless Assistance Act (42 U.S.C. 11331),
20 to remain available until expended: *Provided*, That
21 not to exceed 3.5 percent shall be for total adminis-
22 trative costs.

23 (10) \$269,267,000 to sustain current oper-
24 ations for training, exercises, technical assistance,
25 and other programs.

1 DISASTER RELIEF FUND

2 For necessary expenses in carrying out the Robert
3 T. Stafford Disaster Relief and Emergency Assistance Act
4 (42 U.S.C. 5121 et seq.), \$7,327,720,000, to remain avail-
5 able until expended, of which \$6,793,000,000 shall be for
6 major disasters declared pursuant to the Robert T. Staf-
7 ford Disaster Relief and Emergency Assistance Act (42
8 U.S.C. 5121 et seq.) and is designated by the Congress
9 as being for disaster relief pursuant to section
10 251(b)(2)(D) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 NATIONAL FLOOD INSURANCE FUND

13 For activities under the National Flood Insurance
14 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
15 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
16 Biggert-Waters Flood Insurance Reform Act of 2012
17 (Public Law 112–141, 126 Stat. 916), and the Home-
18 owner Flood Insurance Affordability Act of 2014 (Public
19 Law 113–89; 128 Stat. 1020), \$203,500,000, to remain
20 available until September 30, 2019, which shall be derived
21 from offsetting amounts collected under section 1308(d)
22 of the National Flood Insurance Act of 1968 (42 U.S.C.
23 4015(d)); of which \$13,573,000 shall be available for mis-
24 sion support associated with flood management; and of
25 which \$189,927,000 shall be available for flood plain man-

1 agement and flood mapping: *Provided*, That any addi-
2 tional fees collected pursuant to section 1308(d) of the
3 National Flood Insurance Act of 1968 (42 U.S.C.
4 4015(d)) shall be credited as offsetting collections to this
5 account, to be available for flood plain management and
6 flood mapping: *Provided further*, That in fiscal year 2017,
7 no funds shall be available from the National Flood Insur-
8 ance Fund under section 1310 of the National Flood In-
9 surance Act of 1968 (42 U.S.C. 4017) in excess of—

10 (1) \$165,224,000 for operating expenses and
11 salaries and expenses associated with flood insurance
12 operations;

13 (2) \$1,123,000,000 for commissions and taxes
14 of agents;

15 (3) such sums as are necessary for interest on
16 Treasury borrowings; and

17 (4) \$175,000,000, which shall remain available
18 until expended, for flood mitigation actions and for
19 flood mitigation assistance under section 1366 of the
20 National Flood Insurance Act of 1968 (42 U.S.C.
21 4104c), notwithstanding sections 1366(e) and
22 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

23 *Provided further*, That the amounts collected under section
24 102 of the Flood Disaster Protection Act of 1973 (42
25 U.S.C. 4012a) and section 1366(e) of the National Flood

1 Insurance Act of 1968 shall be deposited in the National
2 Flood Insurance Fund to supplement other amounts speci-
3 fied as available for section 1366 of the National Flood
4 Insurance Act of 1968, notwithstanding section 102(f)(8),
5 section 1366(e), and paragraphs (1) through (3) of section
6 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
7 4104d(b)(1)–(3)): *Provided further*, That total administra-
8 tive costs shall not exceed 4 percent of the total appropria-
9 tion: *Provided further*, That up to \$5,000,000 is available
10 to carry out section 24 of the Homeowner Flood Insurance
11 Affordability Act of 2014 (42 U.S.C. 4033).

12 ADMINISTRATIVE PROVISIONS

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 301. Notwithstanding section 2008(a)(12) of
15 the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12))
16 or any other provision of law, not more than 5 percent
17 of the amount of a grant made available in paragraphs
18 (1) through (4) under “Federal Emergency Management
19 Agency—Federal Assistance”, may be used by the grantee
20 for expenses directly related to administration of the
21 grant.

22 SEC. 302. Applications for grants under the heading
23 “Federal Emergency Management Agency—Federal As-
24 sistance”, for paragraphs (1) through (4), shall be made
25 available to eligible applicants not later than 60 days after

1 the date of enactment of this Act, eligible applicants shall
2 submit applications not later than 80 days after the grant
3 announcement, and the Administrator of the Federal
4 Emergency Management Agency shall act within 65 days
5 after the receipt of an application.

6 SEC. 303. Under the heading “Federal Emergency
7 Management Agency—Federal Assistance”, for grants
8 under paragraphs (1) through (4), the Administrator of
9 the Federal Emergency Management Agency shall brief
10 the Committees on Appropriations of the Senate and the
11 House of Representatives 5 full business days in advance
12 of announcing publicly the intention of making an award.

13 SEC. 304. Under the heading “Federal Emergency
14 Management Agency—Federal Assistance”, for grants
15 under paragraphs (1) and (2), the installation of commu-
16 nications towers is not considered construction of a build-
17 ing or other physical facility.

18 SEC. 305. Notwithstanding any other provision of
19 law, grants awarded to States along the Southwest Border
20 of the United States under sections 2003 or 2004 of the
21 Homeland Security Act of 2002 (6 U.S.C. 604 and 605)
22 using funds provided under the heading “Federal Emer-
23 gency Management Agency—Federal Assistance” for
24 grants under paragraph (1) in this Act, or under the head-
25 ing “Federal Emergency Management Agency—State and

1 Local Programs” in Public Law 114–4, division F of Pub-
2 lic Law 113–76, or division D of Public Law 113–6 may
3 be used by recipients or sub-recipients for costs, or reim-
4 bursement of costs, related to providing humanitarian re-
5 lief to unaccompanied alien children and alien adults ac-
6 companied by an alien minor where they are encountered
7 after entering the United States, provided that such costs
8 were incurred between January 1, 2014, and December
9 31, 2014, or during the award period of performance.

10 SEC. 306. The aggregate charges assessed during fis-
11 cal year 2018, as authorized in title III of the Depart-
12 ments of Veterans Affairs and Housing and Urban Devel-
13 opment, and Independent Agencies Appropriations Act,
14 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
15 cent of the amounts anticipated by the Department of
16 Homeland Security to be necessary for its Radiological
17 Emergency Preparedness Program for the next fiscal year:
18 *Provided*, That the methodology for assessment and collec-
19 tion of fees shall be fair and equitable and shall reflect
20 costs of providing such services, including administrative
21 costs of collecting such fees: *Provided further*, That such
22 fees shall be deposited in a Radiological Emergency Pre-
23 paredness Program account as offsetting collections and
24 will become available for authorized purposes on October
25 1, 2018, and remain available until expended.

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TRAINING, AND
3 SERVICES

4 U.S. CITIZENSHIP AND IMMIGRATION SERVICES
5 OPERATIONS AND SUPPORT

6 For necessary expenses of U.S. Citizenship and Im-
7 migration Services for operations and support of the E-
8 Verify Program, \$108,856,000.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of U.S. Citizenship and Im-
11 migration Services for procurement, construction, and im-
12 provements of the E-Verify Program, \$22,657,000, to re-
13 main available until September 30, 2021.

14 FEDERAL LAW ENFORCEMENT TRAINING CENTERS
15 OPERATIONS AND SUPPORT

16 For necessary expenses of the Federal Law Enforce-
17 ment Training Centers for operations and support, includ-
18 ing the purchase of not to exceed 117 vehicles for police-
19 type use and hire of passenger motor vehicles, and services
20 as authorized by section 3109 of title 5, United States
21 Code, \$260,099,000, of which \$49,409,000 shall remain
22 available until September 30, 2019: *Provided*, That not
23 to exceed \$7,180 shall be for official reception and rep-
24 resentation expenses.

1 SCIENCE AND TECHNOLOGY DIRECTORATE

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Science and Tech-
4 nology Directorate for operations and support, including
5 the purchase or lease of not to exceed 5 vehicles,
6 \$254,618,000, of which \$134,795,000 shall remain avail-
7 able until September 30, 2019: *Provided*, That not to ex-
8 ceed \$7,650 shall be for official reception and representa-
9 tion expenses.

10 RESEARCH AND DEVELOPMENT

11 For necessary expenses of the Science and Tech-
12 nology Directorate for research and development,
13 \$383,482,000, to remain available until September 30,
14 2020.

15 DOMESTIC NUCLEAR DETECTION OFFICE

16 OPERATIONS AND SUPPORT

17 For necessary expenses of the Domestic Nuclear De-
18 tection Office for operations and support, \$54,664,000:
19 *Provided*, That not to exceed \$2,250 shall be for official
20 reception and representation expenses.

21 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses of the Domestic Nuclear De-
23 tection Office for procurement, construction, and improve-
24 ments, \$87,096,000, to remain available until September
25 30, 2020.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Domestic Nuclear De-
3 tection Office for research and development,
4 \$144,161,000, to remain available until September 30,
5 2020.

6 FEDERAL ASSISTANCE

7 For necessary expenses of the Domestic Nuclear De-
8 tection Office for Federal assistance through grants, con-
9 tracts, cooperative agreements, and other activities,
10 \$44,519,000, to remain available until September 30,
11 2020.

12 ADMINISTRATIVE PROVISIONS

13 SEC. 401. Notwithstanding any other provision of
14 law, funds otherwise made available to U.S. Citizenship
15 and Immigration Services may be used to acquire, operate,
16 equip, and dispose of up to 5 vehicles, for replacement
17 only, for areas where the Administrator of General Serv-
18 ices does not provide vehicles for lease: *Provided*, That the
19 Director of U.S. Citizenship and Immigration Services
20 may authorize employees who are assigned to those areas
21 to use such vehicles to travel between the employees' resi-
22 dences and places of employment.

23 SEC. 402. None of the funds made available in this
24 Act may be used by U.S. Citizenship and Immigration
25 Services to grant an immigration benefit unless the results

1 of background checks required by law to be completed
2 prior to the granting of the benefit have been received by
3 U.S. Citizenship and Immigration Services, and the re-
4 sults do not preclude the granting of the benefit.

5 SEC. 403. None of the funds appropriated by this Act
6 may be used to process or approve a competition under
7 Office of Management and Budget Circular A-76 for serv-
8 ices provided by employees (including employees serving
9 on a temporary or term basis) of U.S. Citizenship and Im-
10 migration Services of the Department of Homeland Secu-
11 rity who are known as Immigration Information Officers,
12 Immigration Service Analysts, Contact Representatives,
13 Investigative Assistants, or Immigration Services Officers.

14 SEC. 404. (a) Notwithstanding section 1356(n) of
15 title 8, United States Code, of the funds deposited into
16 the Immigration Examinations Fee Account, up to
17 \$10,000,000 may be allocated by U.S. Citizenship and Im-
18 migration Services in fiscal year 2018 for the purpose of
19 providing an immigrant integration grants program.

20 (b) None of the funds made available to U.S. Citizen-
21 ship and Immigration Services for grants for immigrant
22 integration under subsection (a) may be used to provide
23 services to aliens who have not been lawfully admitted for
24 permanent residence.

1 SEC. 405. The Director of the Federal Law Enforce-
2 ment Training Centers is authorized to distribute funds
3 to Federal law enforcement agencies for expenses incurred
4 participating in training accreditation.

5 SEC. 406. The Federal Law Enforcement Training
6 Accreditation Board, including representatives from the
7 Federal law enforcement community and non-Federal ac-
8 creditation experts involved in law enforcement training,
9 shall lead the Federal law enforcement training accredita-
10 tion process to continue the implementation of measuring
11 and assessing the quality and effectiveness of Federal law
12 enforcement training programs, facilities, and instructors.

13 SEC. 407. (a) There is to be established a “Federal
14 Law Enforcement Training Centers—Procurement, Con-
15 struction, and Improvements” appropriations account for
16 planning, operational development, engineering, and pur-
17 chases prior to sustainment and for information tech-
18 nology-related procurement, construction, and improve-
19 ments, including non-tangible assets of the Federal Law
20 Enforcement Training Centers.

21 (b) The Director of the Federal Law Enforcement
22 Training Centers may accept transfers to the account es-
23 tablished by subsection (a) from Government agencies re-
24 questing the construction of special use facilities, as au-
25 thorized by the Economy Act (31 U.S.C. 1535(b)): *Pro-*

1 *vided*, That the Federal Law Enforcement Training Cen-
2 ters maintain administrative control and ownership upon
3 completion of such facilities.

4 SEC. 408. The functions of the Federal Law Enforce-
5 ment Training Centers instructor staff shall be classified
6 as inherently governmental for the purpose of the Federal
7 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
8 note).

9 TITLE V

10 GENERAL PROVISIONS

11 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

12 SEC. 501. No part of any appropriation contained in
13 this Act shall remain available for obligation beyond the
14 current fiscal year unless expressly so provided herein.

15 SEC. 502. Subject to the requirements of section 503
16 of this Act, the unexpended balances of prior appropria-
17 tions provided for activities in this Act may be transferred
18 to appropriation accounts for such activities established
19 pursuant to this Act, may be merged with funds in the
20 applicable established accounts, and thereafter may be ac-
21 counted for as one fund for the same time period as origi-
22 nally enacted.

23 SEC. 503. (a) None of the funds provided by this Act,
24 provided by previous appropriations Acts to the compo-
25 nents in or transferred to the Department of Homeland

1 Security that remain available for obligation or expendi-
2 ture in fiscal year 2018, or provided from any accounts
3 in the Treasury of the United States derived by the collec-
4 tion of fees available to the components funded by this
5 Act, shall be available for obligation or expenditure
6 through a reprogramming of funds that—

7 (1) creates or eliminates a program, project, or
8 activity, or increases funds for any program, project,
9 or activity for which funds have been denied or re-
10 stricted by the Congress;

11 (2) contracts out any function or activity pres-
12 ently performed by Federal employees or any new
13 function or activity proposed to be performed by
14 Federal employees in the President's budget pro-
15 posal for fiscal year 2018 for the Department of
16 Homeland Security;

17 (3) augments funding for existing programs,
18 projects, or activities in excess of \$5,000,000 or 10
19 percent, whichever is less;

20 (4) reduces funding for any program, project,
21 or activity, or numbers of personnel, by 10 percent
22 or more;

23 (5) reorganizes components; or

24 (6) results from any general savings from a re-
25 duction in personnel that would result in a change

1 in funding levels for programs, projects, or activities
2 as approved by the Congress.

3 (b) Subsection (a) shall not apply if the Committees
4 on Appropriations of the Senate and the House of Rep-
5 resentatives are notified at least 15 days in advance of
6 such reprogramming.

7 (c) Up to 5 percent of any appropriation made avail-
8 able for the current fiscal year for the Department of
9 Homeland Security by this Act or provided by previous
10 appropriations Acts may be transferred between such ap-
11 propriations if the Committees on Appropriations of the
12 Senate and the House of Representatives are notified at
13 least 30 days in advance of such transfer, but no such
14 appropriation, except as otherwise specifically provided,
15 shall be increased by more than 10 percent by such trans-
16 fer.

17 (d) Notwithstanding subsections (a), (b), and (c), no
18 funds shall be reprogrammed within or transferred be-
19 tween appropriations based upon an initial notification
20 provided after June 30, except in extraordinary cir-
21 cumstances that imminently threaten the safety of human
22 life or the protection of property.

23 (e) The notification thresholds and procedures set
24 forth in subsections (a), (b), (c), and (d) shall apply to
25 any use of deobligated balances of funds provided in pre-

1 vious Department of Homeland Security Appropriations
2 Acts.

3 (f) Notwithstanding subsection (c), the Secretary of
4 Homeland Security may transfer to the fund established
5 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
6 priations available to the Department of Homeland Secu-
7 rity: *Provided*, That the Secretary shall notify the Com-
8 mittees on Appropriations of the Senate and the House
9 of Representatives 5 days in advance of such transfer.

10 SEC. 504. Section 504 of the Department of Home-
11 land Security Appropriations Act, 2017 (division F of
12 Public Law 115–31), related to the operations of a work-
13 ing capital fund, shall apply with respect to funds made
14 available in this Act in the same manner as such section
15 applied to funds made available in that Act.

16 SEC. 505. Except as otherwise specifically provided
17 by law, not to exceed 50 percent of unobligated balances
18 remaining available at the end of fiscal year 2018, as re-
19 corded in the financial records at the time of a reprogram-
20 ming notification, but not later than June 30, 2019, from
21 appropriations for “Operations and Support” and for
22 “Coast Guard—Operating Expenses”, and salaries and
23 expenses for “Coast Guard—Acquisition, Construction,
24 and Improvements” and “Coast Guard—Reserve Train-
25 ing” for fiscal year 2018 in this Act shall remain available

1 through September 30, 2019, in the account and for the
2 purposes for which the appropriations were provided: *Pro-*
3 *vided*, That prior to the obligation of such funds, a notifi-
4 cation shall be submitted to the Committees on Appropria-
5 tions of the Senate and the House of Representatives in
6 accordance with section 503.

7 SEC. 506. Funds made available by this Act for intel-
8 ligence activities are deemed to be specifically authorized
9 by the Congress for purposes of section 504 of the Na-
10 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
11 year 2018 until the enactment of an Act authorizing intel-
12 ligence activities for fiscal year 2018.

13 SEC. 507. (a) The Secretary of Homeland Security,
14 or the designee of the Secretary, shall notify the Commit-
15 tees on Appropriations of the Senate and the House of
16 Representatives at least 3 full business days in advance
17 of—

18 (1) making or awarding a grant allocation,
19 grant, contract, other transaction agreement, or task
20 or delivery order on a Department of Homeland Se-
21 curity multiple award contract, or to issue a letter
22 of intent totaling in excess of \$1,000,000;

23 (2) awarding a task or delivery order requiring
24 an obligation of funds in an amount greater than

1 \$10,000,000 from multi-year Department of Home-
2 land Security funds;

3 (3) making a sole-source grant award; or

4 (4) announcing publicly the intention to make
5 or award items under paragraph (1), (2), or (3), in-
6 cluding a contract covered by the Federal Acquisi-
7 tion Regulation.

8 (b) If the Secretary of Homeland Security determines
9 that compliance with this section would pose a substantial
10 risk to human life, health, or safety, an award may be
11 made without notification, and the Secretary shall notify
12 the Committees on Appropriations of the Senate and the
13 House of Representatives not later than 5 full business
14 days after such an award is made or letter issued.

15 (c) A notification under this section—

16 (1) may not involve funds that are not available
17 for obligation; and

18 (2) shall include the amount of the award; the
19 fiscal year for which the funds for the award were
20 appropriated; the type of contract; and the account
21 from which the funds are being drawn.

22 SEC. 508. Notwithstanding any other provision of
23 law, no agency shall purchase, construct, or lease any ad-
24 ditional facilities, except within or contiguous to existing
25 locations, to be used for the purpose of conducting Federal

1 law enforcement training without advance notification to
2 the Committees on Appropriations of the Senate and the
3 House of Representatives, except that the Federal Law
4 Enforcement Training Centers is authorized to obtain the
5 temporary use of additional facilities by lease, contract,
6 or other agreement for training that cannot be accommo-
7 dated in existing Center facilities.

8 SEC. 509. None of the funds appropriated or other-
9 wise made available by this Act may be used for expenses
10 for any construction, repair, alteration, or acquisition
11 project for which a prospectus otherwise required under
12 chapter 33 of title 40, United States Code, has not been
13 approved, except that necessary funds may be expended
14 for each project for required expenses for the development
15 of a proposed prospectus.

16 SEC. 510. Sections 520, 522, and 530 of the Depart-
17 ment of Homeland Security Appropriations Act, 2008 (di-
18 vision E of Public Law 110–161; 121 Stat. 2073 and
19 2074) shall apply with respect to funds made available in
20 this Act in the same manner as such sections applied to
21 funds made available in that Act.

22 SEC. 511. None of the funds made available in this
23 Act may be used in contravention of the applicable provi-
24 sions of the Buy American Act: *Provided*, That for pur-

1 poses of the preceding sentence, the term “Buy American
2 Act” means chapter 83 of title 41, United States Code.

3 SEC. 512. None of the funds made available in this
4 Act may be used to amend the oath of allegiance required
5 by section 337 of the Immigration and Nationality Act
6 (8 U.S.C. 1448).

7 SEC. 513. Section 519 of division F of Public Law
8 114–113, regarding a prohibition on funding for any posi-
9 tion designated as a Principal Federal Official, shall apply
10 with respect to funds made available in this Act in the
11 same manner as such section applied to funds made avail-
12 able in that Act.

13 SEC. 514. None of the funds made available in this
14 Act may be used for planning, testing, piloting, or devel-
15 oping a national identification card.

16 SEC. 515. Any official that is required by this Act
17 to report or to certify to the Committees on Appropria-
18 tions of the Senate and the House of Representatives may
19 not delegate such authority to perform that act unless spe-
20 cifically authorized herein.

21 SEC. 516. None of the funds appropriated or other-
22 wise made available in this or any other Act may be used
23 to transfer, release, or assist in the transfer or release to
24 or within the United States, its territories, or possessions
25 Khalid Sheikh Mohammed or any other detainee who—

1 (1) is not a United States citizen or a member
2 of the Armed Forces of the United States; and

3 (2) is or was held on or after June 24, 2009,
4 at the United States Naval Station, Guantanamo
5 Bay, Cuba, by the Department of Defense.

6 SEC. 517. None of the funds made available in this
7 Act may be used for first-class travel by the employees
8 of agencies funded by this Act in contravention of sections
9 301–10.122 through 301–10.124 of title 41, Code of Fed-
10 eral Regulations.

11 SEC. 518. None of the funds made available in this
12 Act may be used to employ workers described in section
13 274A(h)(3) of the Immigration and Nationality Act (8
14 U.S.C. 1324a(h)(3)).

15 SEC. 519. Notwithstanding any other provision of
16 this Act, none of the funds appropriated or otherwise
17 made available by this Act may be used to pay award or
18 incentive fees for contractor performance that has been
19 judged to be below satisfactory performance or perform-
20 ance that does not meet the basic requirements of a con-
21 tract.

22 SEC. 520. None of the funds appropriated or other-
23 wise made available by this Act may be used by the De-
24 partment of Homeland Security to enter into any Federal
25 contract unless such contract is entered into in accordance

1 with the requirements of subtitle I of title 41, United
2 States Code, or chapter 137 of title 10, United States
3 Code, and the Federal Acquisition Regulation, unless such
4 contract is otherwise authorized by statute to be entered
5 into without regard to the above referenced statutes.

6 SEC. 521. (a) For an additional amount for financial
7 systems modernization, \$42,233,000, to remain available
8 until September 30, 2019.

9 (b) Funds made available in subsection (a) for finan-
10 cial systems modernization may be transferred by the Sec-
11 retary of Homeland Security between appropriations for
12 the same purpose, notwithstanding section 503 of this Act.

13 (c) No transfer described in subsection (b) shall occur
14 until 15 days after the Committees on Appropriations of
15 the Senate and the House of Representatives are notified
16 of such transfer.

17 SEC. 522. (a) None of the funds made available in
18 this Act may be used to maintain or establish a computer
19 network unless such network blocks the viewing,
20 downloading, and exchanging of pornography.

21 (b) Nothing in subsection (a) shall limit the use of
22 funds necessary for any Federal, State, tribal, or local law
23 enforcement agency or any other entity carrying out crimi-
24 nal investigations, prosecution, or adjudication activities.

1 SEC. 523. None of the funds made available in this
2 Act may be used by a Federal law enforcement officer to
3 facilitate the transfer of an operable firearm to an indi-
4 vidual if the Federal law enforcement officer knows or sus-
5 pects that the individual is an agent of a drug cartel unless
6 law enforcement personnel of the United States continu-
7 ously monitor or control the firearm at all times.

8 SEC. 524. None of the funds made available in this
9 Act may be used to pay for the travel to or attendance
10 of more than 50 employees of a single component of the
11 Department of Homeland Security, who are stationed in
12 the United States, at a single international conference un-
13 less the Secretary of Homeland Security, or a designee,
14 determines that such attendance is in the national interest
15 and notifies the Committees on Appropriations of the Sen-
16 ate and the House of Representatives within at least 10
17 days of that determination and the basis for that deter-
18 mination: *Provided*, That for purposes of this section the
19 term “international conference” shall mean a conference
20 occurring outside of the United States attended by rep-
21 resentatives of the United States Government and of for-
22 eign governments, international organizations, or non-
23 governmental organizations: *Provided further*, That the
24 total cost to the Department of Homeland Security of any
25 such conference shall not exceed \$500,000.

1 SEC. 525. None of the funds made available in this
2 Act may be used to reimburse any Federal department
3 or agency for its participation in a National Special Secu-
4 rity Event.

5 SEC. 526. None of the funds made available to the
6 Department of Homeland Security by this or any other
7 Act may be obligated for any structural pay reform that
8 affects more than 100 full-time positions or costs more
9 than \$5,000,000 in a single year before the end of the
10 30-day period beginning on the date on which the Sec-
11 retary of Homeland Security submits to Congress a notifi-
12 cation that includes—

13 (1) the number of full-time positions affected by
14 such change;

15 (2) funding required for such change for the
16 current year and through the Future Years Home-
17 land Security Program;

18 (3) justification for such change; and

19 (4) an analysis of compensation alternatives to
20 such change that were considered by the Depart-
21 ment.

22 SEC. 527. (a) Any agency receiving funds made avail-
23 able in this Act shall, subject to subsections (b) and (c),
24 post on the public website of that agency any report re-
25 quired to be submitted by the Committees on Appropria-

1 tions of the Senate and the House of Representatives in
2 this Act, upon the determination by the head of the agency
3 that it shall serve the national interest.

4 (b) Subsection (a) shall not apply to a report if—

5 (1) the public posting of the report com-
6 promises homeland or national security; or

7 (2) the report contains proprietary information.

8 (c) The head of the agency posting such report shall
9 do so only after such report has been made available to
10 the Committees on Appropriations of the Senate and the
11 House of Representatives for not less than 45 days except
12 as otherwise specified in law.

13 SEC. 528. (a) Funding provided in this Act for “Op-
14 erations and Support” may be used for minor procure-
15 ment, construction, and improvements.

16 (b) For purposes of subsection (a), “minor” refers
17 to end items with a unit cost of \$250,000 or less for per-
18 sonal property, and \$2,000,000 or less for real property.

19 SEC. 529. None of the funds made available by this
20 Act may be obligated or expended to implement the Arms
21 Trade Treaty until the Senate approves a resolution of
22 ratification for the Treaty.

23 SEC. 530. For fiscal year 2018, the Secretary of
24 Homeland Security may provide, out of funds available to
25 the Department of Homeland Security, for the primary

1 and secondary schooling of dependents of Department of
2 Homeland Security personnel who are stationed outside
3 the continental United States and for the transportation
4 of such dependents in the same manner and to the same
5 extent that, pursuant to 14 U.S.C. 544, the Secretary may
6 provide, out of funds appropriated to or for the use of
7 the Coast Guard, for the primary and secondary schooling
8 of, and the transportation of, dependents of Coast Guard
9 personnel stationed outside the continental United States.

10 (RESCISSIONS)

11 SEC. 531. Of the funds appropriated to the Depart-
12 ment of Homeland Security, the following funds are here-
13 by rescinded from the following accounts and programs
14 in the specified amounts: *Provided*, That no amounts may
15 be rescinded from amounts that were designated by the
16 Congress as an emergency requirement pursuant to a con-
17 current resolution on the budget or the Balanced Budget
18 and Emergency Deficit Control Act of 1985 (Public Law
19 99–177):

- 20 (1) \$12,928,000 from Public Law 115–31
21 under the heading “Transportation Security Admin-
22 istration—Operations and Support”;
- 23 (2) \$1,785,697 from Public Law 108–334
24 under the heading “Coast Guard—Alteration of
25 Bridges”;

(3) \$1,920,100 from Public Law 109-90 under
the heading “Coast Guard—Alteration of Bridges”;

(4) \$1,791,454 from Public Law 109-295
under the heading “Coast Guard—Alteration of
Bridges”;

(5) \$3,221,594 from Public Law 110-161
under the heading “Coast Guard—Alteration of
Bridges”;

9 (6) \$3,680,885 from Public Law 111-83 under
10 the heading “Coast Guard—Alteration of Bridges”;

(7) \$25,000,000 from Public Law 114-113
under the heading “Coast Guard—Acquisition, Con-
struction, and Improvements”; and

(8) \$95,000,000 from Public Law 115–31
under the heading “Coast Guard—Acquisition, Con-
struction, and Improvements”.

17 (RESCISSIONS)

18 SEC. 532. From the unobligated balances available
19 in the Department of the Treasury Forfeiture Fund estab-
20 lished by section 9703 of title 31, United States Code
21 (added by section 638 of Public Law 102-393),
22 \$187,000,000 shall be rescinded.

23 (RESCISSION)

24 SEC. 533. Of the unobligated balances made available
25 to “Federal Emergency Management Agency—Disaster

1 Relief Fund”, \$875,575,000 shall be rescinded: *Provided*,
2 That no amounts may be rescinded from amounts that
3 were designated by the Congress as an emergency require-
4 ment pursuant to a concurrent resolution on the budget
5 or the Balanced Budget and Emergency Deficit Control
6 Act of 1985, as amended: *Provided further*, That no
7 amounts may be rescinded from the amounts that were
8 designated by the Congress as being for disaster relief pur-
9 suant to section 251(b)(2)(D) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985.

11 SEC. 534. Not later than 90 days from the date of
12 this Act, the Commissioner of United States Customs and
13 Border Protection shall: (a) conduct a survey of inter-
14 national passenger traffic at the airports listed in section
15 122.15(b) of title 19, Code of Federal Regulations, and
16 designate any airport as a port of entry if that airport:
17 (1) has scheduled international service by one or more air
18 carriers; and (2) received over 75,000 international pas-
19 senger arrivals during the most recent calendar year in
20 which federal passenger data is available; (b) ensure a suf-
21 ficient number of United States Customs and Border Pro-
22 tection officers are available at any airport designated as
23 a port of entry under subsection (a) in order for landing
24 rights requests to be granted in accordance with section
25 122.14 of title 19, Code of Federal Regulations.

1 SEC. 535. None of the funds appropriated by this Act
2 for U.S. Immigration and Customs Enforcement shall be
3 available to pay for an abortion, except where the life of
4 the mother would be endangered if the fetus were carried
5 to term, or in the case of rape or incest: *Provided*, That
6 should this prohibition be declared unconstitutional by a
7 court of competent jurisdiction, this section shall be null
8 and void.

9 SEC. 536. None of the funds appropriated by this Act
10 for U.S. Immigration and Customs Enforcement shall be
11 used to require any person to perform, or facilitate in any
12 way the performance of, any abortion.

13 SEC. 537. Nothing in the preceding section shall re-
14 move the obligation of the Assistant Secretary of Home-
15 land Security for U.S. Immigration and Customs Enforce-
16 ment to provide escort services necessary for a female de-
17 tainee to receive such service outside the detention facility:
18 *Provided*, That nothing in this section in any way dimin-
19 ishes the effect of section _____ [preceding section]
20 intended to address the philosophical beliefs of individual
21 employees of U.S. Immigration and Customs Enforce-
22 ment.

23 SEC. 538. In fiscal year 2018, nonimmigrants shall
24 be admitted to the United States under section
25 101(a)(15)(H)(ii)(a) of the Immigration and Nationality

1 Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) to perform agricul-
2 tural labor or services, without regard to whether such
3 labor is, or services are, of a temporary or seasonal nature.

4 SEC. 539. (a) Notwithstanding subsections (a) and
5 (b) of section 201 of the Immigration and Nationality Act,
6 Christopher William Gard, Constance Rhoda Keely Yates,
7 and Charles Matthew William Gard shall each be eligible
8 for issuance of an immigrant visa or for adjustment of
9 status to that of an alien lawfully admitted for permanent
10 residence upon filing an application for issuance of an im-
11 migrant visa under section 204 of such Act or for adjust-
12 ment of status to lawful permanent resident.

13 (b) If Christopher William Gard, Constance Rhoda
14 Keely Yates, or Charles Matthew William Gard enters the
15 United States before the filing deadline specified in sub-
16 section (c), he or she shall be considered to have entered
17 and remained lawfully and shall, if otherwise eligible, be
18 eligible for adjustment of status under section 245 of the
19 Immigration and Nationality Act as of the date of the en-
20 actment of this Act.

21 (c) Subsections (a) and (b) shall apply only if the ap-
22 plication for issuance of an immigrant visa or the applica-
23 tion for adjustment of status is filed with appropriate fees
24 within 2 years after the date of the enactment of this Act.

1 (d) Upon the granting of an immigrant visa or per-
2 manent residence to Christopher William Gard, Constance
3 Rhoda Keely Yates, and Charles Matthew William Gard,
4 the Secretary of State shall instruct the proper officer to
5 reduce by 3, during the current or next following fiscal
6 year, the total number of immigrant visas that are made
7 available to natives of the country of the aliens' birth
8 under section 203(a) of the Immigration and Nationality
9 Act or, if applicable, the total number of immigrant visas
10 that are made available to natives of the country of the
11 aliens' birth under section 202(e) of such Act.

12 (e) The natural parents, brothers, and sisters of
13 Christopher William Gard, Constance Rhoda Keely Yates,
14 and Charles Matthew William Gard shall not, by virtue
15 of such relationship, be accorded any right, privilege, or
16 status under the Immigration and Nationality Act.

17 STATUTE OF LIMITATIONS

18 SEC. 540.

19 (a) IN GENERAL.—Section 705 of the Robert T.
20 Stafford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5205) is amended—

22 (1) in subsection (a)(1)—

23 (A) by striking “Except” and inserting
24 “Notwithstanding section 3716(e) of title 31,
25 United States Code, and except”; and

1 (B) by striking “report for the disaster or
2 emergency” and inserting “report for project
3 completion as certified by the grantee”; and
4 (2) in subsection (b)—

5 (A) in paragraph (1) by striking “report
6 for the disaster or emergency” and inserting
7 “report for project completion as certified by
8 the grantee”; and

9 (B) in paragraph (3) by inserting “for
10 project completion as certified by the grantee”
11 after “final expenditure report”.

12 (b) APPLICABILITY.—

13 (1) IN GENERAL.—With respect to disaster or
14 emergency assistance provided to a State or local
15 government on or after January 1, 2004—

16 (A) no administrative action may be taken
17 to recover a payment of such assistance after
18 the date of enactment of this Act if the action
19 is prohibited under section 705(a)(1) of the
20 Robert T. Stafford Disaster Relief and Emer-
21 gency Assistance Act (42 U.S.C. 5205(a)(1));
22 and

23 (B) any administrative action to recover a
24 payment of such assistance that is pending on
25 such date of enactment shall be terminated if

1 the action is prohibited under section 705(a)(1)
2 of such Act.

(2) LIMITATION.—This section and the amendments made by this section, may not be construed to invalidate or otherwise affect any administration action completed before the date of enactment of this Act.

8 REFERENCES TO ACT

9 SEC. 541. Except as expressly provided otherwise,
10 any reference to “this Act” contained in this division shall
11 be treated as referring only to the provisions of this divi-
12 sion.

13 REFERENCE TO REPORT

SEC. 542. Any reference to a “report accompanying
this Act” contained in this division or the Department of
Homeland Security Border Infrastructure Construction
Appropriations Act, 2018, shall be treated as a reference
to House Report 115–239. The effect of such Report shall
be limited to this division and such Act and shall apply
for purposes of determining the allocation of funds pro-
vided by, and the implementation of, this division and such
Act.

23 SPENDING REDUCTION ACCOUNT

24 SEC. 543. \$0.

1 This division may be cited as the “Department of
2 Homeland Security Appropriations Act, 2018”.

3 **DIVISION F—DEPARTMENTS OF LABOR,**
4 **HEALTH AND HUMAN SERVICES, AND**
5 **EDUCATION, AND RELATED AGENCIES**
6 **APPROPRIATIONS ACT, 2018**

7 The following sums are appropriated, out of any
8 money in the Treasury not otherwise appropriated, for the
9 Departments of Labor, Health and Human Services, and
10 Education, and related agencies for the fiscal year ending
11 September 30, 2018, and for other purposes, namely:

12 TITLE I

13 DEPARTMENT OF LABOR

14 EMPLOYMENT AND TRAINING ADMINISTRATION

15 TRAINING AND EMPLOYMENT SERVICES

16 For necessary expenses of the Workforce Innovation
17 and Opportunity Act (referred to in this Act as “WIOA”),
18 the Second Chance Act of 2007, \$3,042,720,000, plus re-
19 imbursements, shall be available. Of the amounts pro-
20 vided:

21 (1) for grants to States for adult employment
22 and training activities, youth activities, and dis-
23 located worker employment and training activities,
24 \$2,624,108,000 as follows:

1 (A) \$776,736,000 for adult employment
2 and training activities, of which \$64,736,000
3 shall be available for the period July 1, 2018
4 through June 30, 2019, and of which
5 \$712,000,000 shall be available for the period
6 October 1, 2018 through June 30, 2019;

7 (B) \$831,842,000 for youth activities,
8 which shall be available for the period April 1,
9 2018 through June 30, 2019; and

10 (C) \$1,015,530,000 for dislocated worker
11 employment and training activities, of which
12 \$155,530,000 shall be available for the period
13 July 1, 2018 through June 30, 2019, and of
14 which \$860,000,000 shall be available for the
15 period October 1, 2018 through June 30, 2019:

16 *Provided*, That the funds available for allotment to
17 outlying areas to carry out subtitle B of title I of the
18 WIOA shall not be subject to the requirements of
19 section 127(b)(1)(B)(ii) of such Act; and

20 (2) for national programs, \$418,612,000 as fol-
21 lows:

22 (A) \$130,000,000 for the dislocated work-
23 ers assistance national reserve, which shall be
24 available for the period October 1, 2017
25 through September 30, 2019: *Provided*, That

1 funds provided to carry out section
2 132(a)(2)(A) of the WIOA may be used to pro-
3 vide assistance to a State for statewide or local
4 use in order to address cases where there have
5 been worker dislocations across multiple sectors
6 or across multiple local areas and such workers
7 remain dislocated; coordinate the State work-
8 force development plan with emerging economic
9 development needs; and train such eligible dis-
10 located workers: *Provided further*, That funds
11 provided to carry out section 168(b) of the
12 WIOA may be used for technical assistance
13 projects that provide assistance to new entrants
14 in the workforce and incumbent workers: *Pro-*
15 *vided further*, That notwithstanding section
16 168(b) of the WIOA, of the funds provided
17 under this subparagraph, the Secretary of
18 Labor (referred to in this title as “Secretary”)
19 may reserve not more than 10 percent of such
20 funds to provide technical assistance and carry
21 out additional activities related to the transition
22 to the WIOA: *Provided further*, That, of the
23 funds provided under this subparagraph, up to
24 \$66,000,000 may be made available for applica-
25 tions submitted in accordance with section 170

1 of the WIOA for training and employment as-
2 sistance for workers in the Appalachian region,
3 as defined by 40 U.S.C. 14102 (a)(1);

4 (B) \$50,000,000 for Native American pro-
5 grams under section 166 of the WIOA, which
6 shall be available for the period July 1, 2018
7 through June 30, 2019;

8 (C) \$72,000,000 for migrant and seasonal
9 farmworker programs under section 167 of the
10 WIOA, including \$66,716,000 for formula
11 grants (of which not less than 70 percent shall
12 be for employment and training services),
13 \$4,850,000 for migrant and seasonal housing
14 (of which not less than 70 percent shall be for
15 permanent housing), and \$434,000 for other
16 discretionary purposes, which shall be available
17 for the period July 1, 2018 through June 30,
18 2019: *Provided*, That notwithstanding any
19 other provision of law or related regulation, the
20 Department of Labor shall take no action lim-
21 iting the number or proportion of eligible par-
22 ticipants receiving related assistance services or
23 discouraging grantees from providing such serv-
24 ices;

1 (D) \$84,534,000 for YouthBuild activities
2 as described in section 171 of the WIOA, which
3 shall be available for the period April 1, 2018
4 through June 30, 2019; and

5 (E) \$82,078,000 for ex-offender activities,
6 under the authority of section 169 of the WIOA
7 and section 212 of the Second Chance Act of
8 2007, which shall be available for the period
9 April 1, 2018 through June 30, 2019: *Provided,*
10 That of this amount, \$25,000,000 shall be for
11 competitive grants to national and regional
12 intermediaries for activities that prepare young
13 ex-offenders and school dropouts for employ-
14 ment, with a priority for projects serving high-
15 crime, high-poverty areas.

16 JOB CORPS

17 (INCLUDING TRANSFER OF FUNDS)

18 To carry out subtitle C of title I of the WIOA, includ-
19 ing Federal administrative expenses, the purchase and
20 hire of passenger motor vehicles, the construction, alter-
21 ation, and repairs of buildings and other facilities, and the
22 purchase of real property for training centers as author-
23 ized by the WIOA, \$1,688,155,000, plus reimbursements,
24 as follows:

1 (1) \$1,572,886,000 for Job Corps Operations,
2 which shall be available for the period July 1, 2018
3 through June 30, 2019;

4 (2) \$83,000,000 for construction, rehabilitation
5 and acquisition of Job Corps Centers, which shall be
6 available for the period July 1, 2018 through June
7 30, 2021, and which may include the acquisition,
8 maintenance, and repair of major items of equip-
9 ment: *Provided*, That the Secretary may transfer up
10 to 15 percent of such funds to meet the operational
11 needs of such centers or to achieve administrative ef-
12 ficiencies: *Provided further*, That any funds trans-
13 ferred pursuant to the preceding proviso shall not be
14 available for obligation after June 30, 2019: *Pro-*
15 *vided further*, That the Committees on Appropria-
16 tions of the House of Representatives and the Sen-
17 ate are notified at least 15 days in advance of any
18 transfer; and

19 (3) \$32,269,000 for necessary expenses of Job
20 Corps, which shall be available for obligation for the
21 period October 1, 2017 through September 30,
22 2018:

23 *Provided*, That no funds from any other appropriation
24 shall be used to provide meal services at or for Job Corps
25 centers.

1 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

2 For payments during fiscal year 2018 of trade ad-
3 justment benefit payments and allowances under part I
4 of subchapter B of chapter 2 of title II of the Trade Act
5 of 1974, and section 246 of that Act; and for training,
6 employment and case management services, allowances for
7 job search and relocation, and related State administrative
8 expenses under part II of subchapter B of chapter 2 of
9 title II of the Trade Act of 1974, and including benefit
10 payments, allowances, training, employment and case
11 management services, and related State administration
12 provided pursuant to section 231(a) of the Trade Adjust-
13 ment Assistance Extension Act of 2011 and section 405(a)
14 of the Trade Preferences Extension Act of 2015,
15 \$790,000,000 together with such amounts as may be nec-
16 essary to be charged to the subsequent appropriation for
17 payments for any period subsequent to September 15,
18 2018: *Provided*, That notwithstanding section 502 of this
19 Act, any part of the appropriation provided under this
20 heading may remain available for obligation beyond the
21 current fiscal year pursuant to the authorities of section
22 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
2 SERVICE OPERATIONS

3 For authorized administrative expenses,
4 \$70,000,000, together with not to exceed \$2,760,903,000
5 which may be expended from the Employment Security
6 Administration Account in the Unemployment Trust Fund
7 (“the Trust Fund”), of which:

8 (1) \$2,665,775,000 from the Trust Fund is for
9 grants to States for the administration of State un-
10 employment insurance laws as authorized under title
11 III of the Social Security Act (including not less
12 than \$160,000,000 to conduct in-person reemploy-
13 ment and eligibility assessments and unemployment
14 insurance improper payment reviews, and to provide
15 reemployment services and referrals to training as
16 appropriate, for claimants of unemployment insur-
17 ance for ex-service members under 5 U.S.C. 8521 et.
18 seq. and for claimants of regular unemployment
19 compensation, including those who are profiled as
20 most likely to exhaust their benefits in each State,
21 and \$6,000,000 for continued support of the Unem-
22 ployment Insurance Integrity Center of Excellence),
23 the administration of unemployment insurance for
24 Federal employees and for ex-service members as
25 authorized under 5 U.S.C. 8501–8523, and the ad-

1 ministration of trade readjustment allowances, reem-
2 ployment trade adjustment assistance, and alter-
3 native trade adjustment assistance under the Trade
4 Act of 1974 and under section 231(a) of the Trade
5 Adjustment Assistance Extension Act of 2011 and
6 section 405(a) of the Trade Preferences Extension
7 Act of 2015, and shall be available for obligation by
8 the States through December 31, 2018, except that
9 funds used for automation shall be available for
10 Federal obligation through December 31, 2018, and
11 for State obligation through September 30, 2020, or,
12 if the automation is being carried out through con-
13 sortia of States, for State obligation through Sep-
14 tember 30, 2023, and for expenditure through Sep-
15 tember 30, 2024, and funds for competitive grants
16 awarded to States for improved operations and to
17 conduct in-person reemployment and eligibility as-
18 sessments and unemployment insurance improper
19 payment reviews and provide reemployment services
20 and referrals to training, as appropriate, shall be
21 available for Federal obligation through December
22 31, 2018, and for obligation by the States through
23 September 30, 2020, and funds for the Unemploy-
24 ment Insurance Integrity Center of Excellence shall
25 be available for obligation by the State through Sep-

1 tember 30, 2019, and funds used for unemployment
2 insurance workloads experienced through September
3 30, 2018 shall be available for Federal obligation
4 through December 31, 2018;

5 (2) \$13,000,000 from the Trust Fund is for na-
6 tional activities necessary to support the administra-
7 tion of the Federal-State unemployment insurance
8 system;

9 (3) \$19,818,000 from the Trust Fund is for na-
10 tional activities of the Employment Service, includ-
11 ing administration of the work opportunity tax cred-
12 it under section 51 of the Internal Revenue Code of
13 1986, and the provision of technical assistance and
14 staff training under the Wagner-Peyser Act;

15 (4) \$62,310,000 from the Trust Fund is for the
16 administration of foreign labor certifications and re-
17 lated activities under the Immigration and Nation-
18 ality Act and related laws, of which \$48,028,000
19 shall be available for the Federal administration of
20 such activities, and \$14,282,000 shall be available
21 for grants to States for the administration of such
22 activities; and

23 (5) \$70,000,000 from the General Fund is to
24 provide workforce information, national electronic
25 tools, and one-stop system building under the Wag-

1 ner-Peyser Act and shall be available for Federal ob-
2 ligation for the period July 1, 2018 through June
3 30, 2019:

4 *Provided*, That to the extent that the Average Weekly In-
5 sured Unemployment (“AWIU”) for fiscal year 2018 is
6 projected by the Department of Labor to exceed
7 2,246,000, an additional \$28,600,000 from the Trust
8 Fund shall be available for obligation for every 100,000
9 increase in the AWIU level (including a pro rata amount
10 for any increment less than 100,000) to carry out title
11 III of the Social Security Act: *Provided further*, That
12 funds appropriated in this Act that are allotted to a State
13 to carry out activities under title III of the Social Security
14 Act may be used by such State to assist other States in
15 carrying out activities under such title III if the other
16 States include areas that have suffered a major disaster
17 declared by the President under the Robert T. Stafford
18 Disaster Relief and Emergency Assistance Act: *Provided*
19 *further*, That the Secretary may use funds appropriated
20 for grants to States under title III of the Social Security
21 Act to make payments on behalf of States for the use of
22 the National Directory of New Hires under section
23 453(j)(8) of such Act: *Provided further*, That the Sec-
24 retary may use funds appropriated for grants to States
25 under title III of the Social Security Act to make pay-

1 ments on behalf of States to the entity operating the State
2 Information Data Exchange System: *Provided further*,
3 That the Secretary may use funds appropriated for grants
4 to States under title III of the Social Security Act to make
5 payments on behalf of States to the entity operating the
6 Unemployment Insurance Integrity Center of Excellence:
7 *Provided further*, That funds appropriated in this Act
8 which are used to establish a national one-stop career cen-
9 ter system, or which are used to support the national ac-
10 tivities of the Federal-State unemployment insurance, em-
11 ployment service, or immigration programs, may be obli-
12 gated in contracts, grants, or agreements with States and
13 non-State entities: *Provided further*, That States awarded
14 competitive grants for improved operations under title III
15 of the Social Security Act, or awarded grants to support
16 the national activities of the Federal-State unemployment
17 insurance system, may award subgrants to other States
18 and non-State entities under such grants, subject to the
19 conditions applicable to the grants: *Provided further*, That
20 funds appropriated under this Act for activities authorized
21 under title III of the Social Security Act and the Wagner-
22 Peyser Act may be used by States to fund integrated Un-
23 employment Insurance and Employment Service automa-
24 tion efforts, notwithstanding cost allocation principles pre-
25 scribed under the final rule entitled “Uniform Administra-

1 tive Requirements, Cost Principles, and Audit Require-
2 ments for Federal Awards” at part 200 of title 2, Code
3 of Federal Regulations: *Provided further*, That the Sec-
4 retary, at the request of a State participating in a consor-
5 tium with other States, may reallocate funds allotted to such
6 State under title III of the Social Security Act to other
7 States participating in the consortium in order to carry
8 out activities that benefit the administration of the unem-
9 ployment compensation law of the State making the re-
10 quest: *Provided further*, That the Secretary may collect
11 fees for the costs associated with additional data collec-
12 tion, analyses, and reporting services relating to the Na-
13 tional Agricultural Workers Survey requested by State
14 and local governments, public and private institutions of
15 higher education, and nonprofit organizations and may
16 utilize such sums, in accordance with the provisions of 29
17 U.S.C. 9a, for the National Agricultural Workers Survey
18 infrastructure, methodology, and data to meet the infor-
19 mation collection and reporting needs of such entities,
20 which shall be credited to this appropriation and shall re-
21 main available until September 30, 2019, for such pur-
22 poses.

1 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
2 OTHER FUNDS

3 For repayable advances to the Unemployment Trust
4 Fund as authorized by sections 905(d) and 1203 of the
5 Social Security Act, and to the Black Lung Disability
6 Trust Fund as authorized by section 9501(c)(1) of the In-
7 ternal Revenue Code of 1986; and for nonrepayable ad-
8 vances to the revolving fund established by section 901(e)
9 of the Social Security Act, to the Unemployment Trust
10 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
11 Unemployment Benefits and Allowances” account, such
12 sums as may be necessary, which shall be available for
13 obligation through September 30, 2019.

14 PROGRAM ADMINISTRATION

15 For expenses of administering employment and train-
16 ing programs, \$106,461,000, together with not to exceed
17 \$49,887,000 which may be expended from the Employ-
18 ment Security Administration Account in the Unemploy-
19 ment Trust Fund.

20 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

21 SALARIES AND EXPENSES

22 For necessary expenses for the Employee Benefits
23 Security Administration, \$175,600,000.

1 PENSION BENEFIT GUARANTY CORPORATION

2 PENSION BENEFIT GUARANTY CORPORATION FUND

3 The Pension Benefit Guaranty Corporation (“Cor-
4 poration”) is authorized to make such expenditures, in-
5 cluding financial assistance authorized by subtitle E of
6 title IV of the Employee Retirement Income Security Act
7 of 1974, within limits of funds and borrowing authority
8 available to the Corporation, and in accord with law, and
9 to make such contracts and commitments without regard
10 to fiscal year limitations, as provided by 31 U.S.C. 9104,
11 as may be necessary in carrying out the program, includ-
12 ing associated administrative expenses, through Sep-
13 tember 30, 2018, for the Corporation: *Provided*, That
14 none of the funds available to the Corporation for fiscal
15 year 2018 shall be available for obligations for administra-
16 tive expenses in excess of \$424,417,000: *Provided further*,
17 That to the extent that the number of new plan partici-
18 pants in plans terminated by the Corporation exceeds
19 100,000 in fiscal year 2018, an amount not to exceed an
20 additional \$9,200,000 shall be available through Sep-
21 tember 30, 2019, for obligation for administrative ex-
22 penses for every 20,000 additional terminated partici-
23 pants: *Provided further*, That obligations in excess of the
24 amounts provided in this paragraph may be incurred for
25 unforeseen and extraordinary pretermination expenses or

1 extraordinary multiemployer program related expenses
2 after approval by the Office of Management and Budget
3 and notification of the Committees on Appropriations of
4 the House of Representatives and the Senate.

5 WAGE AND HOUR DIVISION

6 SALARIES AND EXPENSES

7 For necessary expenses for the Wage and Hour Divi-
8 sion, including reimbursement to State, Federal, and local
9 agencies and their employees for inspection services ren-
10 dered, \$217,500,000.

11 OFFICE OF LABOR-MANAGEMENT STANDARDS

12 SALARIES AND EXPENSES

13 For necessary expenses for the Office of Labor-Man-
14 agement Standards, \$41,129,000.

15 OFFICE OF FEDERAL CONTRACT COMPLIANCE

16 PROGRAMS

17 SALARIES AND EXPENSES

18 For necessary expenses for the Office of Federal Con-
19 tract Compliance Programs, \$94,500,000.

20 OFFICE OF WORKERS' COMPENSATION PROGRAMS

21 SALARIES AND EXPENSES

22 For necessary expenses for the Office of Workers'
23 Compensation Programs, \$114,377,000, together with
24 \$2,173,000 which may be expended from the Special Fund

1 in accordance with sections 39(c), 44(d), and 44(j) of the
2 Longshore and Harbor Workers' Compensation Act.

3 SPECIAL BENEFITS

4 (INCLUDING TRANSFER OF FUNDS)

5 For the payment of compensation, benefits, and ex-
6 penses (except administrative expenses) accruing during
7 the current or any prior fiscal year authorized by 5 U.S.C.
8 81; continuation of benefits as provided for under the
9 heading "Civilian War Benefits" in the Federal Security
10 Agency Appropriation Act, 1947; the Employees' Com-
11 pensation Commission Appropriation Act, 1944; section
12 5(f) of the War Claims Act (50 U.S.C. App. 2004); obliga-
13 tions incurred under the War Hazards Compensation Act
14 (42 U.S.C. 1701 et seq.); and 50 percent of the additional
15 compensation and benefits required by section 10(h) of the
16 Longshore and Harbor Workers' Compensation Act,
17 \$220,000,000, together with such amounts as may be nec-
18 essary to be charged to the subsequent year appropriation
19 for the payment of compensation and other benefits for
20 any period subsequent to August 15 of the current year,
21 for deposit into and to assume the attributes of the Em-
22 ployees' Compensation Fund established under 5 U.S.C.
23 8147(a): *Provided*, That amounts appropriated may be
24 used under 5 U.S.C. 8104 by the Secretary to reimburse
25 an employer, who is not the employer at the time of injury,

1 for portions of the salary of a re-employed, disabled bene-
2 ficiary: *Provided further*, That balances of reimbursements
3 unobligated on September 30, 2017, shall remain available
4 until expended for the payment of compensation, benefits,
5 and expenses: *Provided further*, That in addition there
6 shall be transferred to this appropriation from the Postal
7 Service and from any other corporation or instrumentality
8 required under 5 U.S.C. 8147(c) to pay an amount for
9 its fair share of the cost of administration, such sums as
10 the Secretary determines to be the cost of administration
11 for employees of such fair share entities through Sep-
12 tember 30, 2018: *Provided further*, That of those funds
13 transferred to this account from the fair share entities to
14 pay the cost of administration of the Federal Employees'
15 Compensation Act, \$71,188,000 shall be made available
16 to the Secretary as follows:

17 (1) For enhancement and maintenance of auto-
18 mated data processing systems operations and tele-
19 communications systems, \$24,540,000;

20 (2) For automated workload processing oper-
21 ations, including document imaging, centralized mail
22 intake, and medical bill processing, \$22,968,000;

23 (3) For periodic roll disability management and
24 medical review, \$21,946,000;

25 (4) For program integrity, \$1,734,000; and

1 (5) The remaining funds shall be paid into the
2 Treasury as miscellaneous receipts:

3 *Provided further*, That the Secretary may require that any
4 person filing a notice of injury or a claim for benefits
5 under 5 U.S.C. 81, or the Longshore and Harbor Work-
6 ers' Compensation Act, provide as part of such notice and
7 claim, such identifying information (including Social Secu-
8 rity account number) as such regulations may prescribe.

9 SPECIAL BENEFITS FOR DISABLED COAL MINERS

10 For carrying out title IV of the Federal Mine Safety
11 and Health Act of 1977, as amended by Public Law 107–
12 275, \$54,319,000, to remain available until expended.

13 For making after July 31 of the current fiscal year,
14 benefit payments to individuals under title IV of such Act,
15 for costs incurred in the current fiscal year, such amounts
16 as may be necessary.

17 For making benefit payments under title IV for the
18 first quarter of fiscal year 2019, \$15,000,000, to remain
19 available until expended.

20 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

21 OCCUPATIONAL ILLNESS COMPENSATION FUND

22 For necessary expenses to administer the Energy
23 Employees Occupational Illness Compensation Program
24 Act, \$59,846,000, to remain available until expended: *Pro-*
25 *vided*, That the Secretary may require that any person fil-

1 ing a claim for benefits under the Act provide as part of
2 such claim such identifying information (including Social
3 Security account number) as may be prescribed.

4 BLACK LUNG DISABILITY TRUST FUND
5 (INCLUDING TRANSFER OF FUNDS)

6 Such sums as may be necessary from the Black Lung
7 Disability Trust Fund (the “Fund”), to remain available
8 until expended, for payment of all benefits authorized by
9 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
10 enue Code of 1986; and repayment of, and payment of
11 interest on advances, as authorized by section 9501(d)(4)
12 of that Act. In addition, the following amounts may be
13 expended from the Fund for fiscal year 2018 for expenses
14 of operation and administration of the Black Lung Bene-
15 fits program, as authorized by section 9501(d)(5): not to
16 exceed \$38,246,000 for transfer to the Office of Workers’
17 Compensation Programs, “Salaries and Expenses”; not to
18 exceed \$30,595,000 for transfer to Departmental Manage-
19 ment, “Salaries and Expenses”; not to exceed \$330,000
20 for transfer to Departmental Management, “Office of In-
21 spector General”; and not to exceed \$356,000 for pay-
22 ments into miscellaneous receipts for the expenses of the
23 Department of the Treasury.

1 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
2 SALARIES AND EXPENSES

3 For necessary expenses for the Occupational Safety
4 and Health Administration, \$531,470,000, including not
5 to exceed \$100,850,000 which shall be the maximum
6 amount available for grants to States under section 23(g)
7 of the Occupational Safety and Health Act (the “Act”),
8 which grants shall be no less than 50 percent of the costs
9 of State occupational safety and health programs required
10 to be incurred under plans approved by the Secretary
11 under section 18 of the Act; and, in addition, notwith-
12 standing 31 U.S.C. 3302, the Occupational Safety and
13 Health Administration may retain up to \$499,000 per fis-
14 cal year of training institute course tuition and fees, other-
15 wise authorized by law to be collected, and may utilize
16 such sums for occupational safety and health training and
17 education: *Provided*, That notwithstanding 31 U.S.C.
18 3302, the Secretary is authorized, during the fiscal year
19 ending September 30, 2018, to collect and retain fees for
20 services provided to Nationally Recognized Testing Lab-
21 oratories, and may utilize such sums, in accordance with
22 the provisions of 29 U.S.C. 9a, to administer national and
23 international laboratory recognition programs that ensure
24 the safety of equipment and products used by workers in
25 the workplace: *Provided further*, That none of the funds

1 appropriated under this paragraph shall be obligated or
2 expended to prescribe, issue, administer, or enforce any
3 standard, rule, regulation, or order under the Act which
4 is applicable to any person who is engaged in a farming
5 operation which does not maintain a temporary labor
6 camp and employs 10 or fewer employees: *Provided fur-*
7 *ther*, That no funds appropriated under this paragraph
8 shall be obligated or expended to administer or enforce
9 any standard, rule, regulation, or order under the Act with
10 respect to any employer of 10 or fewer employees who is
11 included within a category having a Days Away, Re-
12 stricted, or Transferred (“DART”) occupational injury
13 and illness rate, at the most precise industrial classifica-
14 tion code for which such data are published, less than the
15 national average rate as such rates are most recently pub-
16 lished by the Secretary, acting through the Bureau of
17 Labor Statistics, in accordance with section 24 of the Act,
18 except—

19 (1) to provide, as authorized by the Act, con-
20 sultation, technical assistance, educational and train-
21 ing services, and to conduct surveys and studies;

22 (2) to conduct an inspection or investigation in
23 response to an employee complaint, to issue a cita-
24 tion for violations found during such inspection, and
25 to assess a penalty for violations which are not cor-

1 rected within a reasonable abatement period and for
2 any willful violations found;

3 (3) to take any action authorized by the Act
4 with respect to imminent dangers;

5 (4) to take any action authorized by the Act
6 with respect to health hazards;

7 (5) to take any action authorized by the Act
8 with respect to a report of an employment accident
9 which is fatal to one or more employees or which re-
10 sults in hospitalization of two or more employees,
11 and to take any action pursuant to such investiga-
12 tion authorized by the Act; and

13 (6) to take any action authorized by the Act
14 with respect to complaints of discrimination against
15 employees for exercising rights under the Act:

16 *Provided further*, That the foregoing proviso shall not
17 apply to any person who is engaged in a farming operation
18 which does not maintain a temporary labor camp and em-
19 ploys 10 or fewer employees: *Provided further*, That not
20 less than \$3,500,000 shall be for Voluntary Protection
21 Programs.

22 MINE SAFETY AND HEALTH ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses for the Mine Safety and
25 Health Administration, \$359,975,000, including purchase

1 and bestowal of certificates and trophies in connection
2 with mine rescue and first-aid work, and the hire of pas-
3 senger motor vehicles, including up to \$2,000,000 for
4 mine rescue and recovery activities and not less than
5 \$10,537,000 for State assistance grants: *Provided*, That
6 amounts available for State assistance grants may be used
7 for the purchase and maintenance of new equipment re-
8 quired by the final rule entitled “Lowering Miners’ Expo-
9 sure to Respirable Coal Mine Dust, Including Continuous
10 Personal Dust Monitors” published by the Department of
11 Labor in the Federal Register on May 1, 2014 (79 Fed.
12 Reg. 24813 et seq.), for operators that demonstrate finan-
13 cial need as determined by the Secretary: *Provided further*,
14 That notwithstanding 31 U.S.C. 3302, not to exceed
15 \$750,000 may be collected by the National Mine Health
16 and Safety Academy for room, board, tuition, and the sale
17 of training materials, otherwise authorized by law to be
18 collected, to be available for mine safety and health edu-
19 cation and training activities: *Provided further*, That not-
20 withstanding 31 U.S.C. 3302, the Mine Safety and Health
21 Administration is authorized to collect and retain up to
22 \$2,499,000 from fees collected for the approval and cer-
23 tification of equipment, materials, and explosives for use
24 in mines, and may utilize such sums for such activities:
25 *Provided further*, That the Secretary is authorized to ac-

1 cept lands, buildings, equipment, and other contributions
2 from public and private sources and to prosecute projects
3 in cooperation with other agencies, Federal, State, or pri-
4 vate: *Provided further*, That the Mine Safety and Health
5 Administration is authorized to promote health and safety
6 education and training in the mining community through
7 cooperative programs with States, industry, and safety as-
8 sociations: *Provided further*, That the Secretary is author-
9 ized to recognize the Joseph A. Holmes Safety Association
10 as a principal safety association and, notwithstanding any
11 other provision of law, may provide funds and, with or
12 without reimbursement, personnel, including service of
13 Mine Safety and Health Administration officials as offi-
14 cers in local chapters or in the national organization: *Pro-*
15 *vided further*, That any funds available to the Department
16 of Labor may be used, with the approval of the Secretary,
17 to provide for the costs of mine rescue and survival oper-
18 ations in the event of a major disaster.

19 BUREAU OF LABOR STATISTICS

20 SALARIES AND EXPENSES

21 For necessary expenses for the Bureau of Labor Sta-
22 tistics, including advances or reimbursements to State,
23 Federal, and local agencies and their employees for serv-
24 ices rendered, \$544,000,000, together with not to exceed
25 \$65,000,000 which may be expended from the Employ-

1 ment Security Administration account in the Unemploy-
2 ment Trust Fund.

3 OFFICE OF DISABILITY EMPLOYMENT POLICY

4 SALARIES AND EXPENSES

5 For necessary expenses for the Office of Disability
6 Employment Policy to provide leadership, develop policy
7 and initiatives, and award grants furthering the objective
8 of eliminating barriers to the training and employment of
9 people with disabilities, \$36,800,000.

10 DEPARTMENTAL MANAGEMENT

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for Departmental Manage-
14 ment, including the hire of three passenger motor vehicles,
15 \$272,539,000, together with not to exceed \$308,000,
16 which may be expended from the Employment Security
17 Administration account in the Unemployment Trust
18 Fund: *Provided* , That funds available to the Bureau of
19 International Labor Affairs may be used to administer or
20 operate international labor activities, bilateral and multi-
21 lateral technical assistance, and microfinance programs,
22 by or through contracts, grants, subgrants and other ar-
23 rangements: *Provided further*, That \$8,040,000 shall be
24 used for program evaluation and shall be available for obli-
25 gation through September 30, 2019: *Provided further*,

1 That funds available for program evaluation may be used
2 to administer grants for the purpose of evaluation: *Pro-*
3 *vided further*, That grants made for the purpose of evalua-
4 tion shall be awarded through fair and open competition:
5 *Provided further*, That funds available for program evalua-
6 tion may be transferred to any other appropriate account
7 in the Department for such purpose: *Provided further*,
8 That the Committees on Appropriations of the House of
9 Representatives and the Senate are notified at least 15
10 days in advance of any transfer: *Provided further*, That
11 the funds available to the Women's Bureau may be used
12 for grants to serve and promote the interests of women
13 in the workforce: *Provided further*, That of the amounts
14 made available to the Women's Bureau, \$994,000 shall
15 be used for grants authorized by the Women in Appren-
16 ticeship and Nontraditional Occupations Act.

17 VETERANS EMPLOYMENT AND TRAINING

18 Not to exceed \$236,514,000 may be derived from the
19 Employment Security Administration account in the Un-
20 employment Trust Fund to carry out the provisions of
21 chapters 41, 42, and 43 of title 38, United States Code,
22 of which:

- 23 (1) \$175,000,000 is for Jobs for Veterans State
24 grants under 38 U.S.C. 4102A(b)(5) to support dis-
25 abled veterans' outreach program specialists under

1 section 4103A of such title and local veterans' em-
2 ployment representatives under section 4104(b) of
3 such title, and for the expenses described in section
4 4102A(b)(5)(C), which shall be available for obliga-
5 tion by the States through December 31, 2018, and
6 not to exceed 3 percent for the necessary Federal ex-
7 penditures for data systems and contract support to
8 allow for the tracking of participant and perform-
9 ance information: *Provided*, That, in addition, such
10 funds may be used to support such specialists and
11 representatives in the provision of services to
12 transitioning members of the Armed Forces who
13 have participated in the Transition Assistance Pro-
14 gram and have been identified as in need of inten-
15 sive services, to members of the Armed Forces who
16 are wounded, ill, or injured and receiving treatment
17 in military treatment facilities or warrior transition
18 units, and to the spouses or other family caregivers
19 of such wounded, ill, or injured members;

20 (2) \$16,073,000 is for carrying out the Transi-
21 tion Assistance Program under 38 U.S.C. 4113 and
22 10 U.S.C. 1144;

23 (3) \$42,027,000 is for Federal administration
24 of chapters 41, 42, and 43 of title 38, United States
25 Code: *Provided*, That of such amounts, not more

1 than \$1,000,000 shall be available for necessary ex-
2 penses of the HIRE Vets Medallion Award Program
3 authorized by the HIRE Vets Act (Division O of the
4 Consolidated Appropriations Act, 2017 (Public Law
5 115–31; 38 U.S.C. 4100 note)), which shall be in
6 addition to amounts available in the HIRE Vets Me-
7 dallion Award Fund established by section 5 of such
8 Act; and

9 (4) \$3,414,000 is for the National Veterans'
10 Employment and Training Services Institute under
11 38 U.S.C. 4109:

12 *Provided*, That the Secretary may reallocate among the
13 appropriations provided under paragraphs (1) through (4)
14 above an amount not to exceed 3 percent of the appropria-
15 tion from which such reallocation is made: *Provided fur-*
16 *ther*, That the HIRE Vets Medallion Award Fund shall
17 be available to the Secretary for necessary expenses of the
18 HIRE Vets Medallion Award Program authorized by the
19 Hire Vets Act (Division O of the Consolidated Appropria-
20 tions Act, 2017 (Public Law 115–31; 38 U.S.C. 4100
21 note)).

22 In addition, from the General Fund of the Treasury,
23 \$47,537,000 is for carrying out programs to assist home-
24 less veterans and veterans at risk of homelessness who are
25 transitioning from certain institutions under sections

1 2021, 2021A, and 2023 of title 38, United States Code:
2 *Provided*, That notwithstanding subsections (c)(3) and (d)
3 of section 2023, the Secretary may award grants through
4 September 30, 2018, to provide services under such sec-
5 tion: *Provided further*, That services provided under sec-
6 tion 2023 may include, in addition to services to the indi-
7 viduals described in subsection (e) of such section, services
8 to veterans recently released from incarceration who are
9 at risk of homelessness.

10 IT MODERNIZATION

11 For necessary expenses for Department of Labor cen-
12 tralized infrastructure technology investment activities re-
13 lated to support systems and modernization, \$20,769,000,
14 which shall be available through September 30, 2019.

15 OFFICE OF INSPECTOR GENERAL

16 For salaries and expenses of the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, \$83,487,000, together with not to
19 exceed \$5,660,000 which may be expended from the Em-
20 ployment Security Administration account in the Unem-
21 ployment Trust Fund.

22 GENERAL PROVISIONS

23 SEC. 101. None of the funds appropriated by this Act
24 for the Job Corps shall be used to pay the salary and bo-
25 nuses of an individual, either as direct costs or any prora-

1 tion as an indirect cost, at a rate in excess of Executive
2 Level II.

3 (TRANSFER OF FUNDS)

4 SEC. 102. Not to exceed 1 percent of any discre-
5 tionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985) which are appro-
7 priated for the current fiscal year for the Department of
8 Labor in this Act may be transferred between a program,
9 project, or activity, but no such program, project, or activ-
10 ity shall be increased by more than 3 percent by any such
11 transfer: *Provided*, That the transfer authority granted by
12 this section shall not be used to create any new program
13 or to fund any project or activity for which no funds are
14 provided in this Act: *Provided further*, That the Commit-
15 tees on Appropriations of the House of Representatives
16 and the Senate are notified at least 15 days in advance
17 of any transfer.

18 SEC. 103. In accordance with Executive Order
19 13126, none of the funds appropriated or otherwise made
20 available pursuant to this Act shall be obligated or ex-
21 pended for the procurement of goods mined, produced,
22 manufactured, or harvested or services rendered, in whole
23 or in part, by forced or indentured child labor in industries
24 and host countries already identified by the United States
25 Department of Labor prior to enactment of this Act.

1 SEC. 104. Except as otherwise provided in this sec-
2 tion, none of the funds made available to the Department
3 of Labor for grants under section 414(c) of the American
4 Competitiveness and Workforce Improvement Act of 1998
5 (29 U.S.C. 2916a) may be used for any purpose other
6 than competitive grants for training individuals who are
7 older than 16 years of age and are not currently enrolled
8 in school within a local educational agency in the occupa-
9 tions and industries for which employers are using H-1B
10 visas to hire foreign workers, and the related activities
11 necessary to support such training.

12 SEC. 105. None of the funds made available by this
13 Act under the heading “Employment and Training Ad-
14 ministration” shall be used by a recipient or subrecipient
15 of such funds to pay the salary and bonuses of an indi-
16 vidual, either as direct costs or indirect costs, at a rate
17 in excess of Executive Level II. This limitation shall not
18 apply to vendors providing goods and services as defined
19 in Office of Management and Budget Circular A-133.
20 Where States are recipients of such funds, States may es-
21 tablish a lower limit for salaries and bonuses of those re-
22 ceiving salaries and bonuses from subrecipients of such
23 funds, taking into account factors including the relative
24 cost-of-living in the State, the compensation levels for
25 comparable State or local government employees, and the

1 size of the organizations that administer Federal pro-
2 grams involved including Employment and Training Ad-
3 ministration programs.

4 (TRANSFER OF FUNDS)

5 SEC. 106. (a) Notwithstanding section 102, the Sec-
6 retary may transfer funds made available to the Employ-
7 ment and Training Administration by this Act, either di-
8 rectly or through a set-aside, for technical assistance serv-
9 ices to grantees to “Program Administration” when it is
10 determined that those services will be more efficiently per-
11 formed by Federal employees: *Provided*, That this section
12 shall not apply to section 171 of the WIOA.

13 (b) Notwithstanding section 102, the Secretary may
14 transfer not more than 0.5 percent of each discretionary
15 appropriation made available to the Employment and
16 Training Administration by this Act to “Program Admin-
17 istration” in order to carry out program integrity activities
18 relating to any of the programs or activities that are fund-
19 ed under any such discretionary appropriations: *Provided*,
20 That funds transferred from under paragraphs (1) and
21 (2) of the “Office of Job Corps” account shall be available
22 under paragraph (3) of such account in order to carry out
23 program integrity activities relating to the Job Corps pro-
24 gram: *Provided further*, That funds transferred under this

1 subsection shall be available for obligation through Sep-
2 tember 30, 2019.

3 (TRANSFER OF FUNDS)

4 SEC. 107. (a) The Secretary may reserve not more
5 than 0.75 percent from each appropriation made available
6 in this Act identified in subsection (b) in order to carry
7 out evaluations of any of the programs or activities that
8 are funded under such accounts. Any funds reserved under
9 this section shall be transferred to “Departmental Man-
10 agement” for use by the Office of the Chief Evaluation
11 Officer within the Department of Labor, and shall be
12 available for obligation through September 30, 2019: *Pro-*
13 *vided*, That such funds shall only be available if the Chief
14 Evaluation Officer of the Department of Labor submits
15 a plan to the Committees on Appropriations of the House
16 of Representatives and the Senate describing the evalua-
17 tions to be carried out 15 days in advance of any transfer.

18 (b) The accounts referred to in subsection (a) are:
19 “Training and Employment Services”, “Job Corps”,
20 “Community Service Employment for Older Americans”,
21 “State Unemployment Insurance and Employment Service
22 Operations”, “Employee Benefits Security Administra-
23 tion”, “Office of Workers’ Compensation Programs”,
24 “Wage and Hour Division”, “Office of Federal Contract
25 Compliance Programs”, “Office of Labor Management

1 Standards”, “Occupational Safety and Health Adminis-
2 tration”, “Mine Safety and Health Administration”, “Of-
3 fice of Disability Employment Policy”, funding made
4 available to the “Bureau of International Labor Affairs”
5 and “Women’s Bureau” within the “Departmental Man-
6 agement, Salaries and Expenses” account, and “Veterans
7 Employment and Training”.

8 SEC. 108. Notwithstanding any other provision of
9 law, beginning October 1, 2017, the Secretary of Labor,
10 in consultation with the Secretary of Agriculture may se-
11 lect an entity to operate a Civilian Conservation Center
12 on a competitive basis in accordance with section 147 of
13 the WIOA, if the Secretary of Labor determines such Cen-
14 ter has had consistently low performance under the per-
15 formance accountability system in effect for the Job Corps
16 program prior to July 1, 2016, or with respect to expected
17 levels of performance established under section 159(c) of
18 such Act beginning July 1, 2016.

19 SEC. 109. (a) Section 7 of the Fair Labor Standards
20 Act of 1938 (29 U.S.C. 207) shall be applied as if the
21 following text is part of such section:

22 “(s)(1) The provisions of this section shall not apply
23 for a period of 2 years after the occurrence of a major
24 disaster to any employee—

1 “(A) employed to adjust or evaluate claims re-
2 sulting from or relating to such major disaster, by
3 an employer not engaged, directly or through an af-
4 filiate, in underwriting, selling, or marketing prop-
5 erty, casualty, or liability insurance policies or con-
6 tracts;

7 “(B) who receives from such employer on aver-
8 age weekly compensation of not less than \$591.00
9 per week or any minimum weekly amount estab-
10 lished by the Secretary, whichever is greater, for the
11 number of weeks such employee is engaged in any
12 of the activities described in subparagraph (C); and

13 “(C) whose duties include any of the following:

14 “(i) interviewing insured individuals, indi-
15 viduals who suffered injuries or other damages
16 or losses arising from or relating to a disaster,
17 witnesses, or physicians;

18 “(ii) inspecting property damage or review-
19 ing factual information to prepare damage esti-
20 mates;

21 “(iii) evaluating and making recommenda-
22 tions regarding coverage or compensability of
23 claims or determining liability or value aspects
24 of claims;

25 “(iv) negotiating settlements; or

1 “(v) making recommendations regarding
2 litigation.

3 “(2) The exemption in this subsection shall not affect
4 the exemption provided by section 13(a)(1).

5 “(3) For purposes of this subsection—

6 “(A) the term ‘major disaster’ means any dis-
7 aster or catastrophe declared or designated by any
8 State or Federal agency or department;

9 “(B) the term ‘employee employed to adjust or
10 evaluate claims resulting from or relating to such
11 major disaster’ means an individual who timely se-
12 cured or secures a license required by applicable law
13 to engage in and perform the activities described in
14 clauses (i) through (v) of paragraph (1)(C) relating
15 to a major disaster, and is employed by an employer
16 that maintains worker compensation insurance cov-
17 erage or protection for its employees, if required by
18 applicable law, and withholds applicable Federal,
19 State, and local income and payroll taxes from the
20 wages, salaries and any benefits of such employees;
21 and

22 “(C) the term ‘affiliate’ means a company that,
23 by reason of ownership or control of 25 percent or
24 more of the outstanding shares of any class of voting
25 securities of one or more companies, directly or indi-

1 rectly, controls, is controlled by, or is under common
2 control with, another company.”.

3 (b) This section shall be effective on the date of en-
4 actment of this Act.

5 (RESCISSION)

6 SEC. 110. Of the funds made available under the
7 heading “Employment and Training Administration–
8 Training and Employment Services” in division H of Pub-
9 lic Law 115–31, \$200,000,000 is rescinded, to be derived
10 from the amount made available in paragraph (2)(A)
11 under such heading for the period October 1, 2017,
12 through September 30, 2018.

13 SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE
14 CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE
15 SEAFOOD INDUSTRY.—

16 (1) IN GENERAL.—Subject to paragraph (2), if
17 a petition for H–2B nonimmigrants filed by an em-
18 ployer in the seafood industry is granted, the em-
19 ployer may bring the nonimmigrants described in
20 the petition into the United States at any time dur-
21 ing the 120-day period beginning on the start date
22 for which the employer is seeking the services of the
23 nonimmigrants without filing another petition.

24 (2) REQUIREMENTS FOR CROSSINGS AFTER
25 90TH DAY.—An employer in the seafood industry

1 may not bring H-2B nonimmigrants into the United
2 States after the date that is 90 days after the start
3 date for which the employer is seeking the services
4 of the nonimmigrants unless the employer—

5 (A) completes a new assessment of the
6 local labor market by—

7 (i) listing job orders in local news-
8 papers on 2 separate Sundays; and

9 (ii) posting the job opportunity on the
10 appropriate Department of Labor Elec-
11 tronic Job Registry and at the employer's
12 place of employment; and

13 (B) offers the job to an equally or better
14 qualified United States worker who—

15 (i) applies for the job; and

16 (ii) will be available at the time and
17 place of need.

18 (3) EXEMPTION FROM RULES WITH RESPECT
19 TO STAGGERING.—The Secretary of Labor shall not
20 consider an employer in the seafood industry who
21 brings H-2B nonimmigrants into the United States
22 during the 120-day period specified in paragraph (1)
23 to be staggering the date of need in violation of sec-
24 tion 655.20(d) of title 20, Code of Federal Regula-
25 tions, or any other applicable provision of law.

1 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-
2 tion, the term “H-2B nonimmigrants” means aliens ad-
3 mitted to the United States pursuant to section
4 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
5 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

6 SEC. 112. The determination of prevailing wage for
7 the purposes of the H-2B program shall be the greater
8 of—(1) the actual wage level paid by the employer to other
9 employees with similar experience and qualifications for
10 such position in the same location; or (2) the prevailing
11 wage level for the occupational classification of the posi-
12 tion in the geographic area in which the H-2B non-
13 immigrant will be employed, based on the best information
14 available at the time of filing the petition. In the deter-
15 mination of prevailing wage for the purposes of the H-
16 2B program, the Secretary shall accept private wage sur-
17 veys even in instances where Occupational Employment
18 Statistics survey data are available unless the Secretary
19 determines that the methodology and data in the provided
20 survey are not statistically supported.

21 SEC. 113. None of the funds in this Act shall be used
22 to enforce the definition of corresponding employment
23 found in 20 CFR 655.5 or the three-fourths guarantee
24 rule definition found in 20 CFR 655.20, or any references
25 thereto. Further, for the purpose of regulating admission

1 of temporary workers under the H-2B program, the defi-
2 nition of temporary need shall be that provided in 8 CFR
3 214.2(h)(6)(ii)(B).

4 SEC. 114. Notwithstanding any other provision of
5 law, the final rule issued by the Department of Labor enti-
6 tled “Definition of the Term “Fiduciary”; Conflict of In-
7 terest Rule-Retirement Investment Advice” and published
8 by the Department of Labor in the Federal Register on
9 April 8, 2016 (81 Fed. Reg. 20946 et seq.), shall have
10 no force or effect.

11 This title may be cited as the “Department of Labor
12 Appropriations Act, 2018”.

13 TITLE II

14 DEPARTMENT OF HEALTH AND HUMAN

15 SERVICES

16 HEALTH RESOURCES AND SERVICES ADMINISTRATION

17 PRIMARY HEALTH CARE

18 For carrying out titles II and III of the Public Health
19 Service Act (referred to in this Act as the “PHS Act”)
20 with respect to primary health care and the Native Hawai-
21 ian Health Care Act of 1988, \$1,491,522,000: *Provided*,
22 That no more than \$100,000 shall be available until ex-
23 pended for carrying out the provisions of section 224(o)
24 of the PHS Act: *Provided further*, That no more than
25 \$99,893,000 shall be available until expended for carrying

1 out the provisions of sections 224(g)–(n) and (q) of the
2 PHS Act, and for expenses incurred by the Department
3 of Health and Human Services (referred to in this Act
4 as “HHS”) pertaining to administrative claims made
5 under such law.

6 HEALTH WORKFORCE

7 For carrying out titles III, VII, and VIII of the PHS
8 Act with respect to the health workforce, sections 1128E
9 and 1921 of the Social Security Act, and the Health Care
10 Quality Improvement Act of 1986, \$748,236,000: *Pro-*
11 *vided*, That sections 736(h)(1), 747(c)(2), 751(j)(2),
12 762(k), and the proportional funding amounts in para-
13 graphs (1) through (4) of section 756(f) of the PHS Act
14 shall not apply to funds made available under this head-
15 ing: *Provided further*, That for any program operating
16 under section 751 of the PHS Act on or before January
17 1, 2009, the Secretary of Health and Human Services (re-
18 ferred to in this title as the “Secretary”) may hereafter
19 waive any of the requirements contained in sections
20 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full
21 project period of a grant under such section: *Provided fur-*
22 *ther*, That no funds shall be available for section 340G–
23 1 of the PHS Act: *Provided further*, That fees collected
24 for the disclosure of information under section 427(b) of
25 the Health Care Quality Improvement Act of 1986 and

1 sections 1128E(d)(2) and 1921 of the Social Security Act
2 shall be sufficient to recover the full costs of operating
3 the programs authorized by such sections and shall remain
4 available until expended for the National Practitioner
5 Data Bank: *Provided further*, That funds transferred to
6 this account to carry out section 846 and subpart 3 of
7 part D of title III of the PHS Act may be used to make
8 prior year adjustments to awards made under such sec-
9 tions.

10 MATERNAL AND CHILD HEALTH

11 For carrying out titles III, XI, XII, and XIX of the
12 PHS Act with respect to maternal and child health, title
13 V of the Social Security Act, and section 712 of the Amer-
14 ican Jobs Creation Act of 2004, \$848,617,000: *Provided*,
15 That notwithstanding sections 502(a)(1) and 502(b)(1) of
16 the Social Security Act, not more than \$80,593,000 shall
17 be available for carrying out special projects of regional
18 and national significance pursuant to section 501(a)(2) of
19 such Act and \$10,276,000 shall be available for projects
20 described in subparagraphs (A) through (F) of section
21 501(a)(3) of such Act.

22 RYAN WHITE HIV/AIDS PROGRAM

23 For carrying out title XXVI of the PHS Act with
24 respect to the Ryan White HIV/AIDS program,
25 \$2,318,781,000, of which \$1,970,881,000 shall remain

1 available to the Secretary through September 30, 2020,
2 for parts A and B of title XXVI of the PHS Act, and
3 of which not less than \$900,313,000 shall be for State
4 AIDS Drug Assistance Programs under the authority of
5 section 2616 or 311(c) of such Act.

6 HEALTH CARE SYSTEMS

7 For carrying out titles III and XII of the PHS Act
8 with respect to health care systems, and the Stem Cell
9 Therapeutic and Research Act of 2005, \$100,518,000.

10 RURAL HEALTH

11 For carrying out titles III and IV of the PHS Act
12 with respect to rural health, section 427(a) of the Federal
13 Coal Mine Health and Safety Act of 1969, and sections
14 711 and 1820 of the Social Security Act, \$156,060,000,
15 of which \$43,609,000 from general revenues, notwith-
16 standing section 1820(j) of the Social Security Act, shall
17 be available for carrying out the Medicare rural hospital
18 flexibility grants program: *Provided*, That of the funds
19 made available under this heading for Medicare rural hos-
20 pital flexibility grants, \$14,942,000 shall be available for
21 the Small Rural Hospital Improvement Grant Program
22 for quality improvement and adoption of health informa-
23 tion technology and up to \$1,000,000 shall be to carry
24 out section 1820(g)(6) of the Social Security Act, with
25 funds provided for grants under section 1820(g)(6) avail-

1 able for the purchase and implementation of telehealth
2 services, including pilots and demonstrations on the use
3 of electronic health records to coordinate rural veterans
4 care between rural providers and the Department of Vet-
5 erans Affairs electronic health record system: *Provided*
6 *further*, That notwithstanding section 338J(k) of the PHS
7 Act, \$10,000,000 shall be available for State Offices of
8 Rural Health.

9 PROGRAM MANAGEMENT

10 For program support in the Health Resources and
11 Services Administration, \$151,993,000: *Provided*, That
12 funds made available under this heading may be used to
13 supplement program support funding provided under the
14 headings “Primary Health Care”, “Health Workforce”,
15 “Maternal and Child Health”, “Ryan White HIV/AIDS
16 Program”, “Health Care Systems”, and “Rural Health”.

17 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

18 For payments from the Vaccine Injury Compensation
19 Program Trust Fund (the “Trust Fund”), such sums as
20 may be necessary for claims associated with vaccine-re-
21 lated injury or death with respect to vaccines administered
22 after September 30, 1988, pursuant to subtitle 2 of title
23 XXI of the PHS Act, to remain available until expended:
24 *Provided*, That for necessary administrative expenses, not

1 to exceed \$8,250,000 shall be available from the Trust
2 Fund to the Secretary.

3 CENTERS FOR DISEASE CONTROL AND PREVENTION

4 IMMUNIZATION AND RESPIRATORY DISEASES

5 For carrying out titles II, III, XVII, and XXI, and
6 section 2821 of the PHS Act, titles II and IV of the Immi-
7 gration and Nationality Act, and section 501 of the Ref-
8 ugee Education Assistance Act, with respect to immuniza-
9 tion and respiratory diseases, \$470,700,000.

10 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

11 DISEASES, AND TUBERCULOSIS PREVENTION

12 For carrying out titles II, III, XVII, and XXIII of
13 the PHS Act with respect to HIV/AIDS, viral hepatitis,
14 sexually transmitted diseases, and tuberculosis prevention,
15 \$1,117,278,000.

16 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

17 For carrying out titles II, III, and XVII, and section
18 2821 of the PHS Act, titles II and IV of the Immigration
19 and Nationality Act, and section 501 of the Refugee Edu-
20 cation Assistance Act, with respect to emerging and
21 zoonotic infectious diseases, \$499,522,000.

22 CHRONIC DISEASE PREVENTION AND HEALTH

23 PROMOTION

24 For carrying out titles II, III, XI, XV, XVII, and
25 XIX of the PHS Act with respect to chronic disease pre-

1 vention and health promotion, \$703,696,000: *Provided*,
2 That funds appropriated under this account may be avail-
3 able for making grants under section 1509 of the PHS
4 Act for not less than 21 States, tribes, or tribal organiza-
5 tions: *Provided further*, That of the funds available under
6 this heading, \$10,000,000 shall be available to continue
7 and expand community specific extension and outreach
8 programs to combat obesity in counties with the highest
9 levels of obesity: *Provided further*, That the proportional
10 funding requirements under section 1503(a) of the PHS
11 Act shall not apply to funds made available under this
12 heading.

13 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
14 DISABILITIES AND HEALTH

15 For carrying out titles II, III, XI, and XVII of the
16 PHS Act with respect to birth defects, developmental dis-
17 abilities, disabilities and health, \$137,560,000.

18 PUBLIC HEALTH SCIENTIFIC SERVICES

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to health statistics, surveillance, health
21 informatics, and workforce development, \$328,697,000:
22 *Provided*, That in addition to amounts provided herein,
23 \$150,700,000 shall be available from amounts available
24 under section 241 of the PHS Act to carry out Public
25 Health Scientific Services.

1 ENVIRONMENTAL HEALTH

2 For carrying out titles II, III, and XVII of the PHS
3 Act with respect to environmental health, \$142,750,000.

4 INJURY PREVENTION AND CONTROL

5 For carrying out titles II, III, and XVII of the PHS
6 Act with respect to injury prevention and control,
7 \$286,059,000: *Provided*, That of the funds provided under
8 this heading, \$112,000,000 shall be available for an evi-
9 dence-based opioid drug overdose prevention program.

10 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
11 HEALTH

12 For carrying out titles II, III, and XVII of the PHS
13 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
14 of the Federal Mine Safety and Health Act, section 13
15 of the Mine Improvement and New Emergency Response
16 Act, and sections 20, 21, and 22 of the Occupational Safe-
17 ty and Health Act, with respect to occupational safety and
18 health, \$325,200,000.

19 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
20 COMPENSATION PROGRAM

21 For necessary expenses to administer the Energy
22 Employees Occupational Illness Compensation Program
23 Act, \$55,358,000, to remain available until expended: *Pro-*
24 *vided*, That this amount shall be available consistent with

1 the provision regarding administrative expenses in section
2 151(b) of division B, title I of Public Law 106–554.

3 GLOBAL HEALTH

4 For carrying out titles II, III, and XVII of the PHS
5 Act with respect to global health, \$435,121,000, of which
6 \$128,421,000 for international HIV/AIDS shall remain
7 available through September 30, 2019: *Provided*, That
8 funds may be used for purchase and insurance of official
9 motor vehicles in foreign countries.

10 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

11 For carrying out titles II, III, and XVII of the PHS
12 Act with respect to public health preparedness and re-
13 sponse, and for expenses necessary to support activities
14 related to countering potential biological, nuclear, radio-
15 logical, and chemical threats to civilian populations,
16 \$1,450,000,000, of which \$600,000,000 shall remain
17 available until expended for the Strategic National Stock-
18 pile: *Provided*, That in the event the Director of the Cen-
19 ters for Disease Control and Prevention (referred to in
20 this title as “CDC”) activates the Emergency Operations
21 Center, the Director of the CDC may detail CDC staff
22 without reimbursement for up to 90 days to support the
23 work of the CDC Emergency Operations Center, so long
24 as the Director provides a notice to the Committees on
25 Appropriations of the House of Representatives and the

1 Senate within 15 days of the use of this authority and
2 a full report within 30 days after use of this authority
3 which includes the number of staff and funding level broken
4 down by the originating center and number of days
5 detailed: *Provided further*, That funds appropriated under
6 this heading may be used to support a contract for the
7 operation and maintenance of an aircraft in direct support
8 of activities throughout CDC to ensure the agency is prepared
9 to address public health preparedness emergencies.

10 BUILDINGS AND FACILITIES
11 (INCLUDING TRANSFER OF FUNDS)

12 For acquisition of real property, equipment, construction,
13 demolition, and renovation of facilities, \$10,000,000,
14 to remain available until September 30, 2022: *Provided*,
15 That funds previously set-aside by CDC for repair and upgrade
16 of the Lake Lynn Experimental Mine and Laboratory shall be used
17 to acquire a replacement mine safety research facility: *Provided further*,
18 That in addition, the prior year unobligated balance of any
19 amounts assigned to former employees in accounts of CDC made
20 available for Individual Learning Accounts shall be credited to and
21 merged with the amounts made available under this heading
22 to support the replacement of the mine safety research
23 facility.

1 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

2 For carrying out titles II, III, XVII and XIX, and
3 section 2821 of the PHS Act and for cross-cutting activi-
4 ties and program support for activities funded in other
5 appropriations included in this Act for the Centers for
6 Disease Control and Prevention, \$103,570,000: *Provided*,
7 That paragraphs (1) through (3) of subsection (b) of sec-
8 tion 2821 of the PHS Act shall not apply to funds appro-
9 priated under this heading and in all other accounts of
10 the CDC: *Provided further*, That employees of CDC or the
11 Public Health Service, both civilian and commissioned of-
12 ficers, detailed to States, municipalities, or other organiza-
13 tions under authority of section 214 of the PHS Act, or
14 in overseas assignments, shall be treated as non-Federal
15 employees for reporting purposes only and shall not be in-
16 cluded within any personnel ceiling applicable to the Agen-
17 cy, Service, or HHS during the period of detail or assign-
18 ment: *Provided further*, That CDC may use up to \$10,000
19 from amounts appropriated to CDC in this Act for official
20 reception and representation expenses when specifically
21 approved by the Director of CDC: *Provided further*, That
22 in addition, such sums as may be derived from authorized
23 user fees, which shall be credited to the appropriation
24 charged with the cost thereof: *Provided further*, That with
25 respect to the previous proviso, authorized user fees from

1 the Vessel Sanitation Program and the Respirator Certifi-
2 cation Program shall be available through September 30,
3 2019.

4 NATIONAL INSTITUTES OF HEALTH

5 NATIONAL CANCER INSTITUTE

6 For carrying out section 301 and title IV of the PHS
7 Act with respect to cancer, \$5,471,181,000, of which up
8 to \$10,000,000 may be used for facilities repairs and im-
9 provements at the National Cancer Institute—Frederick
10 Federally Funded Research and Development Center in
11 Frederick, Maryland.

12 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to cardiovascular, lung, and blood dis-
15 eases, and blood and blood products, \$3,256,521,000.

16 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
17 RESEARCH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to dental and craniofacial diseases,
20 \$432,363,000.

21 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
22 KIDNEY DISEASES

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to diabetes and digestive and kidney dis-
25 ease, \$1,899,733,000.

1 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
2 AND STROKE

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to neurological disorders and stroke,
5 \$1,810,011,000.

6 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
7 DISEASES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to allergy and infectious diseases,
10 \$5,005,813,000.

11 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, \$2,713,775,000, of which \$824,443,000 shall be from funds available under section 241 of the PHS Act: *Provided*, That not less than \$373,361,000 is provided for the Institutional Development Awards program.

18 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
19 CHILD HEALTH AND HUMAN DEVELOPMENT

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to child health and human development,
22 \$1,401,727,000.

1 NATIONAL EYE INSTITUTE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to eye diseases and visual disorders,
4 \$743,881,000.

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
6 SCIENCES

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to environmental health sciences,
9 \$725,387,000.

10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to aging, \$2,458,733,000.

13 NATIONAL INSTITUTE OF ARTHRITIS AND
14 MUSCULOSKELETAL AND SKIN DISEASES

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to arthritis and musculoskeletal and skin
17 diseases, \$566,515,000.

18 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
19 COMMUNICATION DISORDERS

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to deafness and other communication dis-
22 orders, \$443,624,000.

23 NATIONAL INSTITUTE OF NURSING RESEARCH

24 For carrying out section 301 and title IV of the PHS
25 Act with respect to nursing research, \$152,599,000.

1 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
2 ALCOHOLISM

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to alcohol abuse and alcoholism,
5 \$490,796,000.

6 NATIONAL INSTITUTE ON DRUG ABUSE

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to drug abuse, \$1,107,497,000.

9 NATIONAL INSTITUTE OF MENTAL HEALTH

10 For carrying out section 301 and title IV of the PHS
11 Act with respect to mental health, \$1,625,461,000.

12 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to human genome research,
15 \$536,774,000.

16 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
17 BIOENGINEERING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to biomedical imaging and bioengineering
20 research, \$362,506,000.

21 NATIONAL CENTER FOR COMPLEMENTARY AND
22 INTEGRATIVE HEALTH

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to complementary and integrative health,
25 \$136,741,000.

1 NATIONAL INSTITUTE ON MINORITY HEALTH AND
2 HEALTH DISPARITIES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to minority health and health disparities
5 research, \$293,583,000.

6 JOHN E. FOGARTY INTERNATIONAL CENTER

7 For carrying out the activities of the John E. Fogarty
8 International Center (described in subpart 2 of part E of
9 title IV of the PHS Act), \$73,353,000.

10 NATIONAL LIBRARY OF MEDICINE

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to health information communications,
13 \$413,848,000: *Provided*, That of the amounts available for
14 improvement of information systems, \$4,000,000 shall be
15 available until September 30, 2019: *Provided further*, That
16 in fiscal year 2018, the National Library of Medicine may
17 enter into personal services contracts for the provision of
18 services in facilities owned, operated, or constructed under
19 the jurisdiction of the National Institutes of Health (re-
20 ferred to in this title as “NIH”).

21 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
22 SCIENCES

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to translational sciences, \$718,867,000:
25 *Provided*, That up to \$25,835,000 shall be available to im-

1 plement section 480 of the PHS Act, relating to the Cures
2 Acceleration Network: *Provided further*, That at least
3 \$526,120,000 is provided to the Clinical and Translational
4 Sciences Awards program.

5 OFFICE OF THE DIRECTOR

6 For carrying out the responsibilities of the Office of
7 the Director, NIH, \$1,705,248,000: *Provided*, That fund-
8 ing shall be available for the purchase of not to exceed
9 29 passenger motor vehicles for replacement only: *Pro-*
10 *vided further*, That all funds credited to the NIH Manage-
11 ment Fund shall remain available for one fiscal year after
12 the fiscal year in which they are deposited: *Provided fur-*
13 *ther*, That \$165,000,000 shall be for the National Chil-
14 dren's Study Follow-on: *Provided further*, That
15 \$682,980,000 shall be available for the Common Fund es-
16 tablished under section 402A(c)(1) of the PHS Act: *Pro-*
17 *vided further*, That of the funds provided, \$10,000 shall
18 be for official reception and representation expenses when
19 specifically approved by the Director of the NIH: *Provided*
20 *further*, That the Office of AIDS Research within the Of-
21 fice of the Director of the NIH may spend up to
22 \$8,000,000 to make grants for construction or renovation
23 of facilities as provided for in section 2354(a)(5)(B) of the
24 PHS Act.

1 In addition to other funds appropriated for the Com-
2 mon Fund established under section 402A(c) of the PHS
3 Act, \$12,600,000 is appropriated to the Common Fund
4 from the 10-year Pediatric Research Initiative Fund de-
5 scribed in section 9008 of title 26, United States Code,
6 for the purpose of carrying out section 402(b)(7)(B)(ii)
7 of the PHS Act (relating to pediatric research), as author-
8 ized in the Gabriella Miller Kids First Research Act.

9 BUILDINGS AND FACILITIES

10 For the study of, construction or demolition of, ren-
11 ovation of, and acquisition of equipment for, facilities of
12 or used by NIH, including the acquisition of real property,
13 \$128,863,000, to remain available through September 30,
14 2022.

15 NIH INNOVATION ACCOUNT

16 For necessary expenses to carry out the purposes de-
17 scribed in section 1001(b)(4) of the 21st Century Cures
18 Act, in addition to amounts available for such purposes
19 in the appropriations provided to the NIH in this Act,
20 \$496,000,000, to remain available until expended: *Pro-*
21 *vided*, That such amounts are appropriated pursuant to
22 section 1001(b)(3) of such Act and are to be derived from
23 amounts transferred under section 1001(b)(2)(A) of such
24 Act: *Provided further*, That of the amount appropriated
25 under this heading, \$300,000,000 shall be transferred to

1 the “National Cancer Institute” account for the purposes
2 described in section 1001(b)(4)(C) of such Act,
3 \$43,000,000 shall be transferred to the “National Insti-
4 tute of Neurological Disorders and Stroke” account for
5 the purposes described in section 1001(b)(4)(B) of such
6 Act, and \$43,000,000 shall be transferred to the “Na-
7 tional Institute of Mental Health” account for the pur-
8 poses described in section 1001(b)(4)(B) of such Act: *Pro-*
9 *vided further*, That remaining amounts may be transferred
10 by the Director of the NIH to any accounts of the NIH:
11 *Provided further*, That upon a determination by the Direc-
12 tor that funds transferred pursuant to any of the previous
13 provisos are not necessary for the purposes provided, such
14 amounts may be transferred back to this account: *Pro-*
15 *vided further*, That the transfer authority provided under
16 this heading is in addition to any other transfer authority
17 provided by law.

18 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

19 ADMINISTRATION

20 MENTAL HEALTH

21 For carrying out titles III, V, and XIX of the PHS
22 Act with respect to mental health, and the Protection and
23 Advocacy for Individuals with Mental Illness Act,
24 \$928,668,000: *Provided*, That notwithstanding section
25 520A(f)(2) of the PHS Act, no funds appropriated for car-

1 rying out section 520A shall be available for carrying out
2 section 1971 of the PHS Act: *Provided further*, That in
3 addition to amounts provided herein, \$21,039,000 shall be
4 available under section 241 of the PHS Act to carry out
5 subpart I of part B of title XIX of the PHS Act to fund
6 section 1920(b) technical assistance, national data, data
7 collection and evaluation activities, and further that the
8 total available under this Act for section 1920(b) activities
9 shall not exceed 5 percent of the amounts appropriated
10 for subpart I of part B of title XIX: *Provided further*, That
11 States shall expend at least 10 percent of the amount each
12 receives for carrying out section 1911 of the PHS Act to
13 support evidence-based programs that address the needs
14 of individuals with early serious mental illness, including
15 psychotic disorders, regardless of the age of the individual
16 at onset: *Provided further*, That none of the funds pro-
17 vided for section 1911 of the PHS Act shall be subject
18 to section 241 of such Act: *Provided further*, That of the
19 funds made available under this heading, \$15,000,000
20 shall be to carry out section 224 of the Protecting Access
21 to Medicare Act of 2014 (Public Law 113–93; 42 U.S.C.
22 290aa 22 note).

23 SUBSTANCE ABUSE TREATMENT

24 For carrying out titles III and V of the PHS Act
25 with respect to substance abuse treatment and title XIX

1 of such Act with respect to substance abuse treatment and
2 prevention, \$2,130,306,000: *Provided*, That in addition to
3 amounts provided herein, \$81,200,000 shall be available
4 under section 241 of the PHS Act to supplement funds
5 otherwise available for substance abuse treatment activi-
6 ties and to carry out subpart II of part B of title XIX
7 of the PHS Act to fund section 1935(b) technical assist-
8 ance, national data, data collection and evaluation activi-
9 ties, and further that the total available under this Act
10 for section 1935(b) activities shall not exceed 5 percent
11 of the amounts appropriated for subpart II of part B of
12 title XIX: *Provided further*, That none of the funds pro-
13 vided for section 1921 of the PHS Act shall be subject
14 to section 241 of such Act.

15 SUBSTANCE ABUSE PREVENTION

16 For carrying out titles III and V of the PHS Act
17 with respect to substance abuse prevention, \$165,373,000.

18 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

19 For program support and cross-cutting activities that
20 supplement activities funded under the headings “Mental
21 Health”, “Substance Abuse Treatment”, and “Substance
22 Abuse Prevention” in carrying out titles III, V, and XIX
23 of the PHS Act and the Protection and Advocacy for Indi-
24 viduals with Mental Illness Act in the Substance Abuse
25 and Mental Health Services Administration,

1 \$108,922,000: *Provided*, That in addition to amounts pro-
2 vided herein, \$23,426,000 shall be available under section
3 241 of the PHS Act to supplement funds available to
4 carry out national surveys on drug abuse and mental
5 health, to collect and analyze program data, and to con-
6 duct public awareness and technical assistance activities:
7 *Provided further*, That, in addition, fees may be collected
8 for the costs of publications, data, data tabulations, and
9 data analysis completed under title V of the PHS Act and
10 provided to a public or private entity upon request, which
11 shall be credited to this appropriation and shall remain
12 available until expended for such purposes: *Provided fur-*
13 *ther*, That amounts made available in this Act for carrying
14 out section 501(o) of the PHS Act shall remain available
15 through September 30, 2019: *Provided further*, That funds
16 made available under this heading may be used to supple-
17 ment program support funding provided under the head-
18 ings “Mental Health”, “Substance Abuse Treatment”,
19 and “Substance Abuse Prevention”.

20 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

21 HEALTHCARE RESEARCH AND QUALITY

22 For carrying out titles III and IX of the PHS Act,
23 part A of title XI of the Social Security Act, and section
24 1013 of the Medicare Prescription Drug, Improvement,
25 and Modernization Act of 2003, \$300,000,000: *Provided*,

1 That section 947(c) of the PHS Act shall not apply in
2 fiscal year 2018: *Provided further*, That in addition,
3 amounts received from Freedom of Information Act fees,
4 reimbursable and interagency agreements, and the sale of
5 data shall be credited to this appropriation and shall re-
6 main available until September 30, 2019.

7 CENTERS FOR MEDICARE AND MEDICAID SERVICES

8 GRANTS TO STATES FOR MEDICAID

9 For carrying out, except as otherwise provided, titles
10 XI and XIX of the Social Security Act, \$284,798,384,000,
11 to remain available until expended.

12 For making, after May 31, 2018, payments to States
13 under title XIX or in the case of section 1928 on behalf
14 of States under title XIX of the Social Security Act for
15 the last quarter of fiscal year 2018 for unanticipated costs
16 incurred for the current fiscal year, such sums as may be
17 necessary.

18 For making payments to States or in the case of sec-
19 tion 1928 on behalf of States under title XIX of the Social
20 Security Act for the first quarter of fiscal year 2019,
21 \$134,847,759,000, to remain available until expended.

22 Payment under such title XIX may be made for any
23 quarter with respect to a State plan or plan amendment
24 in effect during such quarter, if submitted in or prior to

1 such quarter and approved in that or any subsequent
2 quarter.

3 PAYMENTS TO HEALTH CARE TRUST FUNDS

4 For payment to the Federal Hospital Insurance
5 Trust Fund and the Federal Supplementary Medical In-
6 surance Trust Fund, as provided under sections 217(g),
7 1844, and 1860D–16 of the Social Security Act, sections
8 103(c) and 111(d) of the Social Security Amendments of
9 1965, section 278(d)(3) of Public Law 97–248, and for
10 administrative expenses incurred pursuant to section
11 201(g) of the Social Security Act, \$323,497,300,000.

12 In addition, for making matching payments under
13 section 1844 and benefit payments under section 1860D–
14 16 of the Social Security Act that were not anticipated
15 in budget estimates, such sums as may be necessary.

16 PROGRAM MANAGEMENT

17 For carrying out, except as otherwise provided, titles
18 XI, XVIII, XIX, and XXI of the Social Security Act, titles
19 XIII and XXVII of the PHS Act, and the Clinical Labora-
20 tory Improvement Amendments of 1988, not to exceed
21 \$3,451,141,000, to be transferred from the Federal Hos-
22 pital Insurance Trust Fund and the Federal Supple-
23 mentary Medical Insurance Trust Fund, as authorized by
24 section 201(g) of the Social Security Act; together with
25 all funds collected in accordance with section 353 of the

1 PHS Act and section 1857(e)(2) of the Social Security
2 Act, funds retained by the Secretary pursuant to section
3 1893(h) of the Social Security Act; and such sums as may
4 be collected from authorized user fees and the sale of data,
5 which shall be credited to this account and remain avail-
6 able until expended: *Provided*, That no funds shall be de-
7 rived from offsetting collections through fees collected
8 from qualified health plans offered through an Exchange
9 established under Public Law 111–148 to operate such an
10 Exchange: *Provided further*, That all funds derived in ac-
11 cordance with 31 U.S.C. 9701 from organizations estab-
12 lished under title XIII of the PHS Act shall be credited
13 to and available for carrying out the purposes of this ap-
14 propriation: *Provided further*, That the Secretary is di-
15 rected to collect fees in fiscal year 2018 from Medicare
16 Advantage organizations pursuant to section 1857(e)(2)
17 of the Social Security Act and from eligible organizations
18 with risk-sharing contracts under section 1876 of that Act
19 pursuant to section 1876(k)(4)(D) of that Act.

20 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

21 In addition to amounts otherwise available for pro-
22 gram integrity and program management, \$745,000,000,
23 to remain available through September 30, 2019, to be
24 transferred from the Federal Hospital Insurance Trust
25 Fund and the Federal Supplementary Medical Insurance

1 Trust Fund, as authorized by section 201(g) of the Social
2 Security Act, of which \$486,936,000 shall be for the Medi-
3 care Integrity Program at the Centers for Medicare and
4 Medicaid Services, including administrative costs, to con-
5 duct oversight activities for Medicare Advantage under
6 Part C and the Medicare Prescription Drug Program
7 under Part D of the Social Security Act and for activities
8 described in section 1893(b) of such Act, of which
9 \$82,132,000 shall be for the Department of Health and
10 Human Services Office of Inspector General to carry out
11 fraud and abuse activities authorized by section
12 1817(k)(3) of such Act, of which \$82,132,000 shall be for
13 the Medicaid and Children’s Health Insurance Program
14 (“CHIP”) program integrity activities, and of which
15 \$93,800,000 shall be for the Department of Justice to
16 carry out fraud and abuse activities authorized by section
17 1817(k)(3) of such Act: *Provided*, That the report re-
18 quired by section 1817(k)(5) of the Social Security Act
19 for fiscal year 2018 shall include measures of the oper-
20 ational efficiency and impact on fraud, waste, and abuse
21 in the Medicare, Medicaid, and CHIP programs for the
22 funds provided by this appropriation: *Provided further*,
23 That of the amount provided under this heading,
24 \$311,000,000 is provided to meet the terms of section
25 251(b)(2)(C)(ii) of the Balanced Budget and Emergency

1 Deficit Control Act of 1985, as amended, and
2 \$434,000,000 is additional new budget authority specified
3 for purposes of section 251(b)(2)(C) of such Act: *Provided*
4 *further*, That the Secretary shall support the Senior Medi-
5 care Patrol program to combat health care fraud and
6 abuse from the funds provided to this account.

7 ADMINISTRATION FOR CHILDREN AND FAMILIES

8 PAYMENTS TO STATES FOR CHILD SUPPORT

9 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

10 For carrying out, except as otherwise provided, titles
11 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
12 and the Act of July 5, 1960, \$2,995,400,000, to remain
13 available until expended; and for such purposes for the
14 first quarter of fiscal year 2019, \$1,400,000,000, to re-
15 main available until expended.

16 For carrying out, after May 31 of the current fiscal
17 year, except as otherwise provided, titles I, IV–D, X, XI,
18 XIV, and XVI of the Social Security Act and the Act of
19 July 5, 1960, for the last 3 months of the current fiscal
20 year for unanticipated costs, incurred for the current fiscal
21 year, such sums as may be necessary.

22 LOW INCOME HOME ENERGY ASSISTANCE

23 For making payments under subsections (b) and (d)
24 of section 2602 of the Low Income Home Energy Assist-
25 ance Act of 1981, \$3,390,304,000: *Provided*, That all but

1 \$491,000,000 of this amount shall be allocated as though
2 the total appropriation for such payments for fiscal year
3 2018 was less than \$1,975,000,000: *Provided further*,
4 That notwithstanding section 2609A(a), of the amounts
5 appropriated under section 2602(b), not more than
6 \$2,988,000 of such amounts may be reserved by the Sec-
7 retary for technical assistance, training, and monitoring
8 of program activities for compliance with internal controls,
9 policies and procedures and may, in addition to the au-
10 thorities provided in section 2609A(a)(1), use such funds
11 through contracts with private entities that do not qualify
12 as nonprofit organizations.

13 REFUGEE AND ENTRANT ASSISTANCE

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for refugee and entrant as-
16 sistance activities authorized by section 414 of the Immi-
17 gration and Nationality Act and section 501 of the Ref-
18 ugee Education Assistance Act of 1980, and for carrying
19 out section 462 of the Homeland Security Act of 2002,
20 section 235 of the William Wilberforce Trafficking Victims
21 Protection Reauthorization Act of 2008, the Trafficking
22 Victims Protection Act of 2000 (“TVPA”), and the Tor-
23 ture Victims Relief Act of 1998, \$1,022,811,000, of which
24 \$993,321,000 shall remain available through September
25 30, 2020 for carrying out such sections 414, 501, 462,

1 and 235: *Provided*, That amounts available under this
2 heading to carry out the TVPA shall also be available for
3 research and evaluation with respect to activities under
4 such Act: *Provided further*, That the limitation in section
5 205 of this Act regarding transfers increasing any appro-
6 priation shall apply to transfers to appropriations under
7 this heading by substituting “10 percent” for “3 percent”.

8 PAYMENTS TO STATES FOR THE CHILD CARE AND
9 DEVELOPMENT BLOCK GRANT

10 For carrying out the Child Care and Development
11 Block Grant Act of 2014 (“CCDBG Act”),
12 \$2,860,000,000 shall be used to supplement, not supplant
13 State general revenue funds for child care assistance for
14 low-income families: *Provided*, That technical assistance
15 under section 658I(a)(3) of such Act may be provided di-
16 rectly, or through the use of contracts, grants, cooperative
17 agreements, or interagency agreements: *Provided further*,
18 That all funds made available to carry out section 418
19 of the Social Security Act (42 U.S.C. 618), including
20 funds appropriated for that purpose in such section 418
21 or any other provision of law, shall be subject to the res-
22 ervation of funds authority in paragraphs (4) and (5) of
23 section 658O(a) of the CCDBG Act.

1 SOCIAL SERVICES BLOCK GRANT

2 For making grants to States pursuant to section
3 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
4 *vided*, That notwithstanding subparagraph (B) of section
5 404(d)(2) of such Act, the applicable percent specified
6 under such subparagraph for a State to carry out State
7 programs pursuant to title XX–A of such Act shall be 10
8 percent.

9 CHILDREN AND FAMILIES SERVICES PROGRAMS

10 For carrying out, except as otherwise provided, the
11 Runaway and Homeless Youth Act, the Head Start Act,
12 the Every Student Succeeds Act, the Child Abuse Preven-
13 tion and Treatment Act, sections 303 and 313 of the
14 Family Violence Prevention and Services Act, the Native
15 American Programs Act of 1974, title II of the Child
16 Abuse Prevention and Treatment and Adoption Reform
17 Act of 1978 (adoption opportunities), part B–1 of title IV
18 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
19 of the Social Security Act, and the Community Services
20 Block Grant Act (“CSBG Act”); for necessary administra-
21 tive expenses to carry out titles I, IV, V, X, XI, XIV, XVI,
22 and XX–A of the Social Security Act, the Act of July 5,
23 1960, the Low-Income Home Energy Assistance Act of
24 1981, the Child Care and Development Block Grant Act
25 of 2014, the Assets for Independence Act, title IV of the

1 Immigration and Nationality Act, and section 501 of the
2 Refugee Education Assistance Act of 1980,
3 \$11,181,500,000, of which \$37,943,000, to remain avail-
4 able through September 30, 2019, shall be for grants to
5 States for adoption and legal guardianship incentive pay-
6 ments, as defined by section 473A of the Social Security
7 Act and may be made for adoptions and legal
8 guardianships completed before September 30, 2018: *Pro-*
9 *vided*, That \$9,275,000,000 shall be for making payments
10 under the Head Start Act: *Provided further*, That of the
11 amount in the previous proviso, \$8,610,000,000 shall be
12 available for payments under section 640 of the Head
13 Start Act, of which \$21,905,000 shall be available for a
14 cost of living adjustment notwithstanding section
15 640(a)(3)(A) of such Act: *Provided further*, That of the
16 amount provided for making payments under the Head
17 Start Act, \$25,000,000 shall be available for allocation by
18 the Secretary to supplement activities described in para-
19 graphs (7)(B) and (9) of section 641(c) of such Act under
20 the Designation Renewal System, established under the
21 authority of sections 641(c)(7), 645A(b)(12) and 645A(d)
22 of such Act: *Provided further*, That notwithstanding such
23 section 640, of the amount provided for making payments
24 under the Head Start Act, and in addition to funds other-
25 wise available under such section 640 for such purposes,

1 \$640,000,000 shall be available through March 31, 2019
2 for Early Head Start programs as described in section
3 645A of such Act, for conversion of Head Start services
4 to Early Head Start services as described in section
5 645(a)(5)(A) of such Act, for discretionary grants for high
6 quality infant and toddler care through Early Head Start-
7 Child Care Partnerships, to entities defined as eligible
8 under section 645A(d) of such Act, for training and tech-
9 nical assistance for such activities, and for up to
10 \$14,000,000 in Federal costs of administration and eval-
11 uation, and, notwithstanding section 645A(c)(2) of such
12 Act, these funds are available to serve children under age
13 4: *Provided further*, That funds described in the preceding
14 two provisos shall not be included in the calculation of
15 “base grant” in subsequent fiscal years, as such term is
16 used in section 640(a)(7)(A) of such Act: *Provided further*,
17 That \$250,000,000 shall be available until December 31,
18 2018 for carrying out sections 9212 and 9213 of the
19 Every Student Succeeds Act: *Provided further*, That up
20 to 3 percent of the funds in the preceding proviso shall
21 be available for technical assistance and evaluation related
22 to grants awarded under such section 9212: *Provided fur-*
23 *ther*, That \$617,500,000 shall be for making payments
24 under the CSBG Act: *Provided further*, That \$17,850,000
25 shall be for sections 680 and 678E(b)(2) of the CSBG

1 Act, of which not less than \$10,000,000 shall be for sec-
2 tion 680(a)(2) and not less than \$7,500,000 shall be for
3 section 680(a)(3)(B) of such Act: *Provided further*, That,
4 notwithstanding section 675C(a)(3) of such Act, to the ex-
5 tent Community Services Block Grant funds are distrib-
6 uted as grant funds by a State to an eligible entity as
7 provided under such Act, and have not been expended by
8 such entity, they shall remain with such entity for carry-
9 over into the next fiscal year for expenditure by such enti-
10 ty consistent with program purposes: *Provided further*,
11 That the Secretary shall establish procedures regarding
12 the disposition of intangible assets and program income
13 that permit such assets acquired with, and program in-
14 come derived from, grant funds authorized under section
15 680 of the CSBG Act to become the sole property of such
16 grantees after a period of not more than 12 years after
17 the end of the grant period for any activity consistent with
18 section 680(a)(2)(A) of the CSBG Act: *Provided further*,
19 That intangible assets in the form of loans, equity invest-
20 ments and other debt instruments, and program income
21 may be used by grantees for any eligible purpose con-
22 sistent with section 680(a)(2)(A) of the CSBG Act: *Pro-*
23 *vided further*, That these procedures shall apply to such
24 grant funds made available after November 29, 1999: *Pro-*
25 *vided further*, That funds appropriated for section

1 680(a)(2) of the CSBG Act shall be available for financing
2 construction and rehabilitation and loans or investments
3 in private business enterprises owned by community devel-
4 opment corporations: *Provided further*, That \$1,864,000
5 shall be for a human services case management system
6 for federally declared disasters, to include a comprehensive
7 national case management contract and Federal costs of
8 administering the system: *Provided further*, That up to
9 \$2,000,000 shall be for improving the Public Assistance
10 Reporting Information System, including grants to States
11 to support data collection for a study of the system's effec-
12 tiveness.

13 PROMOTING SAFE AND STABLE FAMILIES

14 For carrying out, except as otherwise provided, sec-
15 tion 436 of the Social Security Act, \$325,000,000 and,
16 for carrying out, except as otherwise provided, section 437
17 of such Act, \$59,765,000: *Provided*, That notwithstanding
18 sections 438(c)(3)(A) and 436(b)(2) of such Act,
19 \$10,000,000 shall be available for such section 436(b)(2),
20 of which no funds shall be available for carrying out sec-
21 tions 438(c)(3)(A)(ii) and (iii) of such Act.

22 PAYMENTS FOR FOSTER CARE AND PERMANENCY

23 For carrying out, except as otherwise provided, title
24 IV-E of the Social Security Act, \$6,225,000,000.

1 For carrying out, except as otherwise provided, title
2 IV–E of the Social Security Act, for the first quarter of
3 fiscal year 2019, \$2,700,000,000.

4 For carrying out, after May 31 of the current fiscal
5 year, except as otherwise provided, section 474 of title IV–
6 E of the Social Security Act, for the last 3 months of the
7 current fiscal year for unanticipated costs, incurred for the
8 current fiscal year, such sums as may be necessary.

9 ADMINISTRATION FOR COMMUNITY LIVING
10 AGING AND DISABILITY SERVICES PROGRAMS
11 (INCLUDING TRANSFER OF FUNDS)

12 For carrying out, to the extent not otherwise pro-
13 vided, the Older Americans Act of 1965 (“OAA”), titles
14 III and XXIX of the PHS Act, sections 1252 and 1253
15 of the PHS Act, section 119 of the Medicare Improve-
16 ments for Patients and Providers Act of 2008, title XX–
17 B of the Social Security Act, the Developmental Disabil-
18 ities Assistance and Bill of Rights Act, parts 2 and 5 of
19 subtitle D of title II of the Help America Vote Act of
20 2002, the Assistive Technology Act of 1998, titles II and
21 VII (and section 14 with respect to such titles) of the Re-
22 habilitation Act of 1973, and for Department-wide coordi-
23 nation of policy and program activities that assist individ-
24 uals with disabilities, \$2,237,224,000: *Provided*, That
25 amounts appropriated under this heading may be used for

1 grants to States under section 361 of the OAA only for
2 disease prevention and health promotion programs and ac-
3 tivities which have been demonstrated through rigorous
4 evaluation to be evidence-based and effective: *Provided*
5 *further*, That of the amounts provided under this heading,
6 \$300,000,000 shall be available for carrying out title V
7 of the OAA: *Provided further*, That with respect to the
8 previous proviso, such funds shall be available through
9 June 30, 2019, and may be recaptured and reobligated
10 in accordance with section 517(c) of the OAA: *Provided*
11 *further*, That of amounts made available under this head-
12 ing to carry out sections 311, 331, and 336 of the OAA,
13 up to one percent of such amounts shall be available for
14 developing and implementing evidence-based practices for
15 enhancing senior nutrition: *Provided further*, That not-
16 withstanding any other provision of this Act, funds made
17 available under this heading to carry out section 311 of
18 the OAA may be transferred to the Secretary of Agri-
19 culture in accordance with such section: *Provided further*,
20 That \$2,000,000 shall be for competitive grants to sup-
21 port alternative financing programs that provide for the
22 purchase of assistive technology devices, such as a low-
23 interest loan fund; an interest buy-down program; a re-
24 volving loan fund; a loan guarantee; or an insurance pro-
25 gram: *Provided further*, That applicants shall provide an

1 assurance that, and information describing the manner in
2 which, the alternative financing program will expand and
3 emphasize consumer choice and control: *Provided further*,
4 That State agencies and community-based disability orga-
5 nizations that are directed by and operated for individuals
6 with disabilities shall be eligible to compete: *Provided fur-*
7 *ther*, That none of the funds made available under this
8 heading may be used by an eligible system (as defined in
9 section 102 of the Protection and Advocacy for Individuals
10 with Mental Illness Act (42 U.S.C. 10802)) to continue
11 to pursue any legal action in a Federal or State court on
12 behalf of an individual or group of individuals with a de-
13 velopmental disability (as defined in section 102(8)(A) of
14 the Developmental Disabilities and Assistance and Bill of
15 Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is at-
16 tributable to a mental impairment (or a combination of
17 mental and physical impairments), that has as the re-
18 quested remedy the closure of State operated intermediate
19 care facilities for people with intellectual or developmental
20 disabilities, unless reasonable public notice of the action
21 has been provided to such individuals (or, in the case of
22 mental incapacitation, the legal guardians who have been
23 specifically awarded authority by the courts to make
24 healthcare and residential decisions on behalf of such indi-
25 viduals) who are affected by such action, within 90 days

1 of instituting such legal action, which informs such indi-
2 viduals (or such legal guardians) of their legal rights and
3 how to exercise such rights consistent with current Fed-
4 eral Rules of Civil Procedure: *Provided further*, That the
5 limitations in the immediately preceding proviso shall not
6 apply in the case of an individual who is neither competent
7 to consent nor has a legal guardian, nor shall the proviso
8 apply in the case of individuals who are a ward of the
9 State or subject to public guardianship.

10 OFFICE OF THE SECRETARY

11 GENERAL DEPARTMENTAL MANAGEMENT

12 For necessary expenses, not otherwise provided, for
13 general departmental management, including hire of six
14 passenger motor vehicles, and for carrying out titles III,
15 XVII, XXI, and section 229 of the PHS Act, the United
16 States-Mexico Border Health Commission Act, and re-
17 search studies under section 1110 of the Social Security
18 Act, \$292,881,000, together with \$57,465,000 from the
19 amounts available under section 241 of the PHS Act to
20 carry out national health or human services research and
21 evaluation activities: *Provided*, That of the funds made
22 available under this heading, \$20,000,000 shall be for
23 making competitive grants which exclusively implement
24 education in sexual risk avoidance (defined as voluntarily
25 refraining from non-marital sexual activity): *Provided fur-*

1 *ther*, That funding for such competitive grants for sexual
2 risk avoidance shall use medically accurate information
3 referenced to peer-reviewed publications by educational,
4 scientific, governmental, or health organizations; imple-
5 ment an evidence-based approach integrating research
6 findings with practical implementation that aligns with the
7 needs and desired outcomes for the intended audience; and
8 teach the benefits associated with self-regulation, success
9 sequencing for poverty prevention, healthy relationships,
10 goal setting, and resisting sexual coercion, dating violence,
11 and other youth risk behaviors such as underage drinking
12 or illicit drug use without normalizing teen sexual activity:
13 *Provided further*, That no more than 10 percent of the
14 funding for such competitive grants for sexual risk avoid-
15 ance shall be available for technical assistance and admin-
16 istrative costs of such programs: *Provided further*, That
17 funds provided in this Act for embryo adoption activities
18 may be used to provide to individuals adopting embryos,
19 through grants and other mechanisms, medical and ad-
20 ministrative services deemed necessary for such adoptions:
21 *Provided further*, That such services shall be provided con-
22 sistent with 42 CFR 59.5(a)(4).

1 STATE RESPONSE TO THE OPIOID ABUSE CRISIS

2 ACCOUNT, CURES ACT

3 For necessary expenses to carry out the purposes de-
4 scribed under section 1003(c) of the 21st Century Cures
5 Act, \$500,000,000, to remain available until expended:
6 *Provided*, That such amounts are appropriated pursuant
7 to section 1003(b)(3) of the 21st Century Cures Act, are
8 to be derived from amounts transferred under section
9 1003(b)(2)(A) of such Act, and may be transferred by the
10 Secretary of Health and Human Services to other ac-
11 counts of the Department solely for the purposes provided
12 in such Act: *Provided further*, That such transfer authority
13 is in addition to any other transfer authority provided by
14 law.

15 OFFICE OF MEDICARE HEARINGS AND APPEALS

16 For expenses necessary for the Office of Medicare
17 Hearings and Appeals, \$112,381,000, to be transferred in
18 appropriate part from the Federal Hospital Insurance
19 Trust Fund and the Federal Supplementary Medical In-
20 surance Trust Fund: *Provided*, That of amounts the Sec-
21 retary retains for adjudications related to Recovery Audit
22 Contractor (RAC) appeals under section 1893(h)(1)(c) of
23 the Social Security Act, \$5,000,000 shall be used as addi-
24 tional funds for the necessary expenses of the Office of
25 Medicare Hearings and Appeals and the Departmental

1 Appeals Board to process RAC-related appeals, and to es-
2 tablish a process to provide educational feedback from
3 such Office and Board to the Centers for Medicare and
4 Medicaid Services to reduce the claims overturn rate from
5 the claims that are reviewed by such Office or Board.

6 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
7 INFORMATION TECHNOLOGY

8 For expenses necessary for the Office of the National
9 Coordinator for Health Information Technology, including
10 grants, contracts, and cooperative agreements for the de-
11 velopment and advancement of interoperable health infor-
12 mation technology, \$38,381,000.

13 OFFICE OF INSPECTOR GENERAL

14 For expenses necessary for the Office of Inspector
15 General, including the hire of passenger motor vehicles for
16 investigations, in carrying out the provisions of the Inspec-
17 tor General Act of 1978, \$80,000,000: *Provided*, That of
18 such amount, necessary sums shall be available for pro-
19 viding protective services to the Secretary and inves-
20 tigating non-payment of child support cases for which non-
21 payment is a Federal offense under 18 U.S.C. 228.

22 OFFICE FOR CIVIL RIGHTS

23 For expenses necessary for the Office for Civil
24 Rights, \$38,798,000.

1 RETIREMENT PAY AND MEDICAL BENEFITS FOR
2 COMMISSIONED OFFICERS

3 For retirement pay and medical benefits of Public
4 Health Service Commissioned Officers as authorized by
5 law, for payments under the Retired Serviceman's Family
6 Protection Plan and Survivor Benefit Plan, and for med-
7 ical care of dependents and retired personnel under the
8 Dependents' Medical Care Act, such amounts as may be
9 required during the current fiscal year.

10 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
11 FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 For expenses necessary to support activities related
14 to countering potential biological, nuclear, radiological,
15 chemical, and cybersecurity threats to civilian populations,
16 and for other public health emergencies, \$959,258,000, of
17 which \$520,000,000 shall remain available through Sep-
18 tember 30, 2019, for expenses necessary to support ad-
19 vanced research and development pursuant to section
20 319L of the PHS Act and other administrative expenses
21 of the Biomedical Advanced Research and Development
22 Authority: *Provided*, That funds provided under this head-
23 ing for the purpose of acquisition of security counter-
24 measures shall be in addition to any other funds available
25 for such purpose: *Provided further*, That products pur-

1 chased with funds provided under this heading may, at
2 the discretion of the Secretary, be deposited in the Stra-
3 tegic National Stockpile pursuant to section 319F-2 of
4 the PHS Act: *Provided further*, That \$5,000,000 of the
5 amounts made available to support emergency operations
6 shall remain available through September 30, 2020.

7 For expenses necessary for procuring security coun-
8 termeasures (as defined in section 319F-2(c)(1)(B) of the
9 PHS Act), \$530,000,000, to remain available until ex-
10 pended.

11 For an additional amount for expenses necessary to
12 prepare for or respond to an influenza pandemic,
13 \$250,000,000, of which \$210,000,000 shall be available
14 until expended, for activities including the development
15 and purchase of vaccine, antivirals, necessary medical sup-
16 plies, diagnostics, and other surveillance tools: *Provided*,
17 That notwithstanding section 496(b) of the PHS Act,
18 funds may be used for the construction or renovation of
19 privately owned facilities for the production of pandemic
20 influenza vaccines and other biologics, if the Secretary
21 finds such construction or renovation necessary to secure
22 sufficient supplies of such vaccines or biologics: *Provided*
23 *further*, That the limitation in section 205 of this Act re-
24 garding transfers increasing any appropriation shall apply

1 to transfers to appropriations under this heading by sub-
2 stituting “10 percent” for “3 percent”.

3 GENERAL PROVISIONS

4 SEC. 201. Funds appropriated in this title shall be
5 available for not to exceed \$50,000 for official reception
6 and representation expenses when specifically approved by
7 the Secretary.

8 SEC. 202. None of the funds appropriated in this title
9 shall be used to pay the salary of an individual, through
10 a grant or other extramural mechanism, at a rate in excess
11 of Executive Level II.

12 SEC. 203. None of the funds appropriated in this Act
13 may be expended pursuant to section 241 of the PHS Act,
14 except for funds specifically provided for in this Act, or
15 for other taps and assessments made by any office located
16 in HHS, prior to the preparation and submission of a re-
17 port by the Secretary to the Committees on Appropria-
18 tions of the House of Representatives and the Senate de-
19 tailing the planned uses of such funds.

20 SEC. 204. Notwithstanding section 241(a) of the
21 PHS Act, such portion as the Secretary shall determine,
22 but not more than 2.4 percent, of any amounts appro-
23 priated for programs authorized under such Act shall be
24 made available for the evaluation (directly, or by grants

1 or contracts) and the implementation and effectiveness of
2 programs funded in this title.

3 (TRANSFER OF FUNDS)

4 SEC. 205. Not to exceed 1 percent of any discre-
5 tionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985) which are appro-
7 priated for the current fiscal year for HHS in this Act
8 may be transferred between appropriations, but no such
9 appropriation shall be increased by more than 3 percent
10 by any such transfer: *Provided*, That the transfer author-
11 ity granted by this section shall not be used to create any
12 new program or to fund any project or activity for which
13 no funds are provided in this Act: *Provided further*, That
14 the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate are notified at least 15 days
16 in advance of any transfer.

17 SEC. 206. In lieu of the timeframe specified in section
18 338E(c)(2) of the PHS Act, terminations described in
19 such section may occur up to 60 days after the execution
20 of a contract awarded in fiscal year 2018 under section
21 338B of such Act.

22 SEC. 207. None of the funds appropriated in this Act
23 may be made available to any entity under title X of the
24 PHS Act unless the applicant for the award certifies to
25 the Secretary that it encourages family participation in

1 the decision of minors to seek family planning services and
2 that it provides counseling to minors on how to resist at-
3 tempts to coerce minors into engaging in sexual activities.

4 SEC. 208. Notwithstanding any other provision of
5 law, no provider of services under title X of the PHS Act
6 shall be exempt from any State law requiring notification
7 or the reporting of child abuse, child molestation, sexual
8 abuse, rape, or incest.

9 SEC. 209. None of the funds appropriated by this Act
10 (including funds appropriated to any trust fund) may be
11 used to carry out the Medicare Advantage program if the
12 Secretary denies participation in such program to an oth-
13 erwise eligible entity (including a Provider Sponsored Or-
14 ganization) because the entity informs the Secretary that
15 it will not provide, pay for, provide coverage of, or provide
16 referrals for abortions: *Provided*, That the Secretary shall
17 make appropriate prospective adjustments to the capita-
18 tion payment to such an entity (based on an actuarially
19 sound estimate of the expected costs of providing the serv-
20 ice to such entity's enrollees): *Provided further*, That noth-
21 ing in this section shall be construed to change the Medi-
22 care program's coverage for such services and a Medicare
23 Advantage organization described in this section shall be
24 responsible for informing enrollees where to obtain infor-
25 mation about all Medicare covered services.

1 SEC. 210. None of the funds made available in this
2 title may be used, in whole or in part, to advocate or pro-
3 mote gun control.

4 SEC. 211. The Secretary shall make available through
5 assignment not more than 60 employees of the Public
6 Health Service to assist in child survival activities and to
7 work in AIDS programs through and with funds provided
8 by the Agency for International Development, the United
9 Nations International Children's Emergency Fund or the
10 World Health Organization.

11 SEC. 212. In order for HHS to carry out inter-
12 national health activities, including HIV/AIDS and other
13 infectious disease, chronic and environmental disease, and
14 other health activities abroad during fiscal year 2018:

15 (1) The Secretary may exercise authority equiv-
16 alent to that available to the Secretary of State in
17 section 2(c) of the State Department Basic Authori-
18 ties Act of 1956. The Secretary shall consult with
19 the Secretary of State and relevant Chief of Mission
20 to ensure that the authority provided in this section
21 is exercised in a manner consistent with section 207
22 of the Foreign Service Act of 1980 and other appli-
23 cable statutes administered by the Department of
24 State.

1 (2) The Secretary is authorized to provide such
2 funds by advance or reimbursement to the Secretary
3 of State as may be necessary to pay the costs of ac-
4 quisition, lease, alteration, renovation, and manage-
5 ment of facilities outside of the United States for
6 the use of HHS. The Department of State shall co-
7 operate fully with the Secretary to ensure that HHS
8 has secure, safe, functional facilities that comply
9 with applicable regulation governing location, set-
10 back, and other facilities requirements and serve the
11 purposes established by this Act. The Secretary is
12 authorized, in consultation with the Secretary of
13 State, through grant or cooperative agreement, to
14 make available to public or nonprofit private institu-
15 tions or agencies in participating foreign countries,
16 funds to acquire, lease, alter, or renovate facilities in
17 those countries as necessary to conduct programs of
18 assistance for international health activities, includ-
19 ing activities relating to HIV/AIDS and other infec-
20 tious diseases, chronic and environmental diseases,
21 and other health activities abroad.

22 (3) The Secretary is authorized to provide to
23 personnel appointed or assigned by the Secretary to
24 serve abroad, allowances and benefits similar to
25 those provided under chapter 9 of title I of the For-

1 eign Service Act of 1980, and 22 U.S.C. 4081
2 through 4086 and subject to such regulations pre-
3 scribed by the Secretary. The Secretary is further
4 authorized to provide locality-based comparability
5 payments (stated as a percentage) up to the amount
6 of the locality-based comparability payment (stated
7 as a percentage) that would be payable to such per-
8 sonnel under section 5304 of title 5, United States
9 Code if such personnel's official duty station were in
10 the District of Columbia. Leaves of absence for per-
11 sonnel under this subsection shall be on the same
12 basis as that provided under subchapter I of chapter
13 63 of title 5, United States Code, or section 903 of
14 the Foreign Service Act of 1980, to individuals serv-
15 ing in the Foreign Service.

(TRANSFER OF FUNDS)

SEC. 213. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

1 (TRANSFER OF FUNDS)

2 SEC. 214. Of the amounts made available in this Act
3 for NIH, the amount for research related to the human
4 immunodeficiency virus, as jointly determined by the Di-
5 rector of NIH and the Director of the Office of AIDS Re-
6 search, shall be made available to the “Office of AIDS
7 Research” account. The Director of the Office of AIDS
8 Research shall transfer from such account amounts nec-
9 essary to carry out section 2353(d)(3) of the PHS Act.

10 SEC. 215. (a) AUTHORITY.—Notwithstanding any
11 other provision of law, the Director of NIH (“Director”)
12 may use funds authorized under section 402(b)(12) of the
13 PHS Act to enter into transactions (other than contracts,
14 cooperative agreements, or grants) to carry out research
15 identified pursuant to or research and activities described
16 in such section 402(b)(12).

17 (b) PEER REVIEW.—In entering into transactions
18 under subsection (a), the Director may utilize such peer
19 review procedures (including consultation with appropriate
20 scientific experts) as the Director determines to be appro-
21 priate to obtain assessments of scientific and technical
22 merit. Such procedures shall apply to such transactions
23 in lieu of the peer review and advisory council review pro-
24 cedures that would otherwise be required under sections

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
2 and 494 of the PHS Act.

3 SEC. 216. Not to exceed \$45,000,000 of funds appro-
4 priated by this Act to the institutes and centers of the
5 National Institutes of Health may be used for alteration,
6 repair, or improvement of facilities, as necessary for the
7 proper and efficient conduct of the activities authorized
8 herein, at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

10 SEC. 217. Of the amounts made available for NIH,
11 1 percent of the amount made available for National Re-
12 search Service Awards (“NRSA”) shall be made available
13 to the Administrator of the Health Resources and Services
14 Administration to make NRSA awards for research in pri-
15 mary medical care to individuals affiliated with entities
16 who have received grants or contracts under sections 736,
17 739, or 747 of the PHS Act, and 1 percent of the amount
18 made available for NRSA shall be made available to the
19 Director of the Agency for Healthcare Research and Qual-
20 ity to make NRSA awards for health service research.

21 SEC. 218. (a) The Biomedical Advanced Research
22 and Development Authority (“BARDA”) may enter into
23 a contract, for more than one but no more than 10 pro-
24 gram years, for purchase of research services or of security
25 countermeasures, as that term is defined in section 319F–

1 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
2 if—

3 (1) funds are available and obligated—

4 (A) for the full period of the contract or
5 for the first fiscal year in which the contract is
6 in effect; and

7 (B) for the estimated costs associated with
8 a necessary termination of the contract; and

9 (2) the Secretary determines that a multi-year
10 contract will serve the best interests of the Federal
11 Government by encouraging full and open competi-
12 tion or promoting economy in administration, per-
13 formance, and operation of BARDA’s programs.

14 (b) A contract entered into under this section—

15 (1) shall include a termination clause as de-
16 scribed by subsection (c) of section 3903 of title 41,
17 United States Code; and

18 (2) shall be subject to the congressional notice
19 requirement stated in subsection (d) of such section.

20 SEC. 219. (a) The Secretary shall establish a publicly
21 accessible Web site to provide information regarding the
22 uses of funds made available under section 4002 of the
23 Patient Protection and Affordable Care Act of 2010
24 (“ACA”).

1 (b) With respect to funds provided under section
2 4002 of the ACA, the Secretary shall include on the Web
3 site established under subsection (a) at a minimum the
4 following information:

5 (1) In the case of each transfer of funds under
6 section 4002(c), a statement indicating the program
7 or activity receiving funds, the operating division or
8 office that will administer the funds, and the
9 planned uses of the funds, to be posted not later
10 than the day after the transfer is made.

11 (2) Identification (along with a link to the full
12 text) of each funding opportunity announcement, re-
13 quest for proposals, or other announcement or solici-
14 tation of proposals for grants, cooperative agree-
15 ments, or contracts intended to be awarded using
16 such funds, to be posted not later than the day after
17 the announcement or solicitation is issued.

18 (3) Identification of each grant, cooperative
19 agreement, or contract with a value of \$25,000 or
20 more awarded using such funds, including the pur-
21 pose of the award and the identity of the recipient,
22 to be posted not later than 5 days after the award
23 is made.

24 (4) A report detailing the uses of all funds
25 transferred under section 4002(c) during the fiscal

1 year, to be posted not later than 90 days after the
2 end of the fiscal year.

3 (c) With respect to awards made in fiscal years 2013
4 through 2018, the Secretary shall also include on the Web
5 site established under subsection (a), semi-annual reports
6 from each entity awarded a grant, cooperative agreement,
7 or contract from such funds with a value of \$25,000 or
8 more, summarizing the activities undertaken and identi-
9 fying any sub-grants or sub-contracts awarded (including
10 the purpose of the award and the identity of the recipient),
11 to be posted not later than 30 days after the end of each
12 6-month period.

13 (d) In carrying out this section, the Secretary shall—

14 (1) present the information required in sub-
15 section (b)(1) on a single webpage or on a single
16 database;

17 (2) ensure that all information required in this
18 section is directly accessible from the single webpage
19 or database; and

20 (3) ensure that all information required in this
21 section is able to be organized by program or State.

22 SEC. 220. (a) The Secretary shall publish in the fiscal
23 year 2019 budget justification and on Departmental Web
24 sites information concerning the employment of full-time
25 equivalent Federal employees or contractors for the pur-

1 poses of implementing, administering, enforcing, or other-
2 wise carrying out the provisions of the ACA, and the
3 amendments made by that Act, in the proposed fiscal year
4 and each fiscal year since the enactment of the ACA.

5 (b) With respect to employees or contractors sup-
6 ported by all funds appropriated for purposes of carrying
7 out the ACA (and the amendments made by that Act),
8 the Secretary shall include, at a minimum, the following
9 information:

10 (1) For each such fiscal year, the section of
11 such Act under which such funds were appropriated,
12 a statement indicating the program, project, or ac-
13 tivity receiving such funds, the Federal operating di-
14 vision or office that administers such program, and
15 the amount of funding received in discretionary or
16 mandatory appropriations.

17 (2) For each such fiscal year, the number of
18 full-time equivalent employees or contracted employ-
19 ees assigned to each authorized and funded provision
20 detailed in accordance with paragraph (1).

21 (c) In carrying out this section, the Secretary may
22 exclude from the report employees or contractors who—

23 (1) are supported through appropriations en-
24 acted in laws other than the ACA and work on pro-
25 grams that existed prior to the passage of the ACA;

1 (2) spend less than 50 percent of their time on
2 activities funded by or newly authorized in the ACA;
3 or

4 (3) work on contracts for which FTE reporting
5 is not a requirement of their contract, such as fixed-
6 price contracts.

7 SEC. 221. The Secretary shall publish, as part of the
8 fiscal year 2019 budget of the President submitted under
9 section 1105(a) of title 31, United States Code, informa-
10 tion that details the uses of all funds used by the Centers
11 for Medicare and Medicaid Services specifically for Health
12 Insurance Exchanges for each fiscal year since the enact-
13 ment of the ACA and the proposed uses for such funds
14 for fiscal year 2019. Such information shall include, for
15 each such fiscal year, the amount of funds used for each
16 activity specified under the heading “Health Insurance
17 Exchange Transparency” in the committee report accom-
18 panying this Act.

19 SEC. 222. (a) The Secretary shall provide to the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate:

22 (1) Detailed monthly enrollment figures from
23 the Exchanges established under the Patient Protec-
24 tion and Affordable Care Act of 2010 pertaining to
25 enrollments during the open enrollment period; and

(2) Notification of any new or competitive grant awards, including supplements, authorized under section 330 of the Public Health Service Act.

(b) The Committees on Appropriations of the House and Senate must be notified at least 2 business days in advance of any public release of enrollment information or the award of such grants.

8 SEC. 223. None of the funds made available by this
9 Act from the Federal Hospital Insurance Trust Fund or
10 the Federal Supplemental Medical Insurance Trust Fund,
11 or transferred from other accounts funded by this Act to
12 the “Centers for Medicare and Medicaid Services—Pro-
13 gram Management” account, may be used for payments
14 under section 1342(b)(1) of Public Law 111–148 (relating
15 to risk corridors).

16 SEC. 224. The Secretary shall include in the fiscal
17 year 2019 budget justification an analysis of how section
18 2713 of the PHS Act will impact eligibility for discre-
19 tionary HHS programs.

20 (TRANSFER OF FUNDS)

SEC. 225. (a) Within 45 days of enactment of this Act, the Secretary shall transfer funds appropriated under section 4002 of the ACA to the accounts specified, in the amounts specified, and for the activities specified under

1 the heading "Prevention and Public Health Fund" in the
2 committee report accompanying this Act.

3 (b) Notwithstanding section 4002(c) of the ACA, the
4 Secretary may not further transfer these amounts.

5 (c) Funds transferred for activities authorized under
6 section 2821 of the PHS Act shall be made available with-
7 out reference to section 2821(b) of such Act.

8 SEC. 226. None of the funds appropriated in this Act
9 may be used to carry out title X of the PHS Act.

10 SEC. 227. Effective during the period beginning on
11 November 1, 2015 and ending January 1, 2020, any pro-
12 vision of law that refers (including through cross-reference
13 to another provision of law) to the current recommenda-
14 tions of the United States Preventive Services Task Force
15 with respect to breast cancer screening, mammography,
16 and prevention shall be administered by the Secretary in-
17 volved as if—

18 (1) such reference to such current recommenda-
19 tions were a reference to the recommendations of
20 such Task Force with respect to breast cancer
21 screening, mammography, and prevention last issued
22 before 2009; and

23 (2) such recommendations last issued before
24 2009 applied to any screening mammography modal-

1 ity under section 1861(jj) of the Social Security Act
2 (42 U.S.C. 1395x(jj)).

3 SEC. 228. In making Federal financial assistance, the
4 NIH shall continue to apply the provisions relating to indi-
5 rect costs in part 75 of title 45, Code of Federal Regula-
6 tions, including with respect to the approval of deviations
7 from negotiated rates, to the same extent and in the same
8 manner as the NIH applied such provisions in the third
9 quarter of fiscal year 2017. None of the funds appro-
10 priated by this Act may be used by the NIH to develop
11 or implement a modified approach to such provisions, or
12 to intentionally or substantially expand the fiscal effect of
13 the approval of such deviations from negotiated rates be-
14 yond the proportional effect of such approvals in such
15 quarter.

16 SEC. 229. None of the funds appropriated in this Act
17 may be used to implement, further, enforce, or advance
18 the Navigators program as provided under section 1311(i)
19 of Public Law 111–148 and title I and subtitle B of title
20 II of Public Law 111–152.

21 This title may be cited as the “Department of Health
22 and Human Services Appropriations Act, 2018”.

1 TITLE III
2 DEPARTMENT OF EDUCATION
3 EDUCATION FOR THE DISADVANTAGED

4 For carrying out title I and subpart 2 of part B of
5 title II of the Elementary and Secondary Education Act
6 of 1965 (referred to in this Act as “ESEA”) and section
7 418A of the Higher Education Act of 1965 (referred to
8 in this Act as “HEA”), \$15,953,790,000, of which
9 \$5,035,990,000 shall become available on July 1, 2018,
10 and shall remain available through September 30, 2019,
11 and of which \$10,841,177,000 shall become available on
12 October 1, 2018, and shall remain available through Sep-
13 tember 30, 2019, for academic year 2018–2019: *Provided*,
14 That \$6,459,401,000 shall be for basic grants under sec-
15 tion 1124 of the ESEA: *Provided further*, That up to
16 \$5,000,000 of these funds shall be available to the Sec-
17 retary of Education (referred to in this title as “Sec-
18 retary”) on October 1, 2017, to obtain annually updated
19 local educational agency-level census poverty data from
20 the Bureau of the Census: *Provided further*, That
21 \$1,362,301,000 shall be for concentration grants under
22 section 1124A of the ESEA: *Provided further*, That
23 \$3,819,050,000 shall be for targeted grants under section
24 1125 of the ESEA: *Provided further*, That
25 \$3,819,050,000 shall be for education finance incentive

1 grants under section 1125A of the ESEA: *Provided fur-*
2 *ther*, That \$27,000,000 shall be for carrying out subpart
3 2 of part B of title II: *Provided further*, That \$44,623,000
4 shall be for carrying out section 418A of the HEA.

5 IMPACT AID

6 For carrying out programs of financial assistance to
7 federally affected schools authorized by title VII of the
8 ESEA, \$1,333,603,000, of which \$1,194,233,000 shall be
9 for basic support payments under section 7003(b),
10 \$48,316,000 shall be for payments for children with dis-
11 abilities under section 7003(d), \$17,406,000, to remain
12 available for obligation through September 30, 2019, shall
13 be for construction under section 7007(b), \$68,813,000
14 shall be for Federal property payments under section
15 7002, and \$4,835,000, to remain available until expended,
16 shall be for facilities maintenance under section 7008:
17 *Provided*, That for purposes of computing the amount of
18 a payment for an eligible local educational agency under
19 section 7003(a) for school year 2017–2018, children en-
20 rolled in a school of such agency that would otherwise be
21 eligible for payment under section 7003(a)(1)(B) of such
22 Act, but due to the deployment of both parents or legal
23 guardians, or a parent or legal guardian having sole cus-
24 tody of such children, or due to the death of a military
25 parent or legal guardian while on active duty (so long as

1 such children reside on Federal property as described in
2 section 7003(a)(1)(B)), are no longer eligible under such
3 section, shall be considered as eligible students under such
4 section, provided such students remain in average daily
5 attendance at a school in the same local educational agen-
6 cy they attended prior to their change in eligibility status.

7 SCHOOL IMPROVEMENT PROGRAMS

8 For carrying out school improvement activities au-
9 thorized by part B of title I, subpart 1 of part A of title
10 IV, part B of title IV, part B of title V, and parts B and
11 C of title VI of the ESEA; the McKinney-Vento Homeless
12 Assistance Act; section 203 of the Educational Technical
13 Assistance Act of 2002; the Compact of Free Association
14 Amendments Act of 2003; and the Civil Rights Act of
15 1964, \$2,261,072,000, of which \$2,121,940,000 shall be-
16 come available on July 1, 2018, and remain available
17 through September 30, 2019, for academic year 2018–
18 2019: *Provided*, That \$369,100,000 shall be for part B
19 of title I: *Provided further*, That \$1,000,000,000 shall be
20 for part B of title IV: *Provided further*, That \$33,397,000
21 shall be for part B of title VI and may be used for con-
22 struction, renovation, and modernization of any elemen-
23 tary school, secondary school, or structure related to an
24 elementary school or secondary school, run by the Depart-
25 ment of Education of the State of Hawaii, that serves a

1 predominantly Native Hawaiian student body: *Provided*
2 *further*, That \$32,453,000 shall be for part C of title VI
3 and shall be awarded on a competitive basis, and also may
4 be used for construction: *Provided further*, That
5 \$50,000,000 shall be available to carry out section 203
6 of the Educational Technical Assistance Act of 2002 and
7 the Secretary shall make such arrangements as deter-
8 mined to be necessary to ensure that the Bureau of Indian
9 Education has access to services provided under this sec-
10 tion: *Provided further*, That \$16,699,000 shall be available
11 to carry out the Supplemental Education Grants program
12 for the Federated States of Micronesia and the Republic
13 of the Marshall Islands: *Provided further*, That the Sec-
14 retary may reserve up to 5 percent of the amount referred
15 to in the previous proviso to provide technical assistance
16 in the implementation of these grants: *Provided further*,
17 That \$175,840,000 shall be for part B of title V: *Provided*
18 *further*, That \$500,000,000 shall be available for grants
19 under subpart 1 of part A of title IV.

20 INDIAN EDUCATION

21 For expenses necessary to carry out, to the extent
22 not otherwise provided, title VI, part A of the ESEA,
23 \$164,939,000, of which \$57,993,000 shall be for subpart
24 2 of part A of title VI and \$6,565,000 shall be for subpart
25 3 of part A of title VI.

1 INNOVATION AND IMPROVEMENT

2 For carrying out activities authorized by subparts 1,
3 3 and 4 of part B of title II, and parts C and D and
4 subpart 4 of part F of title IV of the ESEA,
5 \$747,904,000.

6 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

7 For carrying out activities authorized by subparts 2
8 and 3 of part F of title IV of the ESEA, \$138,000,000:
9 *Provided*, That \$68,000,000 shall be available for section
10 4631, of which up to \$5,000,000, to remain available until
11 expended, shall be for the Project School Emergency Re-
12 sponse to Violence (“Project SERV”) program: *Provided*
13 *further*, That \$10,000,000 shall be available for section
14 4625: *Provided further*, That \$60,000,000 shall be avail-
15 able through December 31, 2018, for section 4624: *Pro-*
16 *vided further*, That section 4623(b) of the ESEA shall
17 apply to funds appropriated for Promise Neighborhoods
18 under this heading in prior appropriations acts.

19 ENGLISH LANGUAGE ACQUISITION

20 For carrying out part A of title III of the ESEA,
21 \$737,400,000, which shall become available on July 1,
22 2018, and shall remain available through September 30,
23 2019, except that 6.5 percent of such amount shall be
24 available on October 1, 2017, and shall remain available

1 through September 30, 2019, to carry out activities under
2 section 3111(c)(1)(C).

3 SPECIAL EDUCATION

4 For carrying out the Individuals with Disabilities
5 Education Act (IDEA) \$13,251,691,000, of which
6 \$1,864,818,000 shall become available on July 1, 2018,
7 and shall remain available through September 30, 2019,
8 and of which \$11,164,824,000 shall become available on
9 October 1, 2018, and shall remain available through Sep-
10 tember 30, 2019, for academic year 2018–2019: *Provided*,
11 That the amount for section 611(b)(2) of the IDEA shall
12 be equal to the lesser of the amount available for that ac-
13 tivity during fiscal year 2016, increased by the amount
14 of inflation as specified in section 619(d)(2)(B) of the
15 IDEA, or the percent change in the funds appropriated
16 under section 611(i) of the IDEA, but not less than the
17 amount for that activity during fiscal year 2016: *Provided*
18 *further*, That the Secretary shall, without regard to section
19 611(d) of the IDEA, distribute to all other States (as that
20 term is defined in section 611(g)(2)), subject to the third
21 proviso, any amount by which a State's allocation under
22 section 611, from funds appropriated under this heading,
23 is reduced under section 612(a)(18)(B), according to the
24 following: 85 percent on the basis of the States' relative
25 populations of children aged 3 through 21 who are of the

1 same age as children with disabilities for whom the State
2 ensures the availability of a free appropriate public edu-
3 cation under this part, and 15 percent to States on the
4 basis of the States' relative populations of those children
5 who are living in poverty: *Provided further*, That the Sec-
6 retary may not distribute any funds under the previous
7 proviso to any State whose reduction in allocation from
8 funds appropriated under this heading made funds avail-
9 able for such a distribution: *Provided further*, That the
10 States shall allocate such funds distributed under the sec-
11 ond proviso to local educational agencies in accordance
12 with section 611(f): *Provided further*, That the amount by
13 which a State's allocation under section 611(d) of the
14 IDEA is reduced under section 612(a)(18)(B) and the
15 amounts distributed to States under the previous provisos
16 in fiscal year 2012 or any subsequent year shall not be
17 considered in calculating the awards under section 611(d)
18 for fiscal year 2013 or for any subsequent fiscal years:
19 *Provided further*, That, notwithstanding the provision in
20 section 612(a)(18)(B) regarding the fiscal year in which
21 a State's allocation under section 611(d) is reduced for
22 failure to comply with the requirement of section
23 612(a)(18)(A), the Secretary may apply the reduction
24 specified in section 612(a)(18)(B) over a period of con-
25 secutive fiscal years, not to exceed five, until the entire

1 reduction is applied: *Provided further*, That the Secretary
2 may, in any fiscal year in which a State's allocation under
3 section 611 is reduced in accordance with section
4 612(a)(18)(B), reduce the amount a State may reserve
5 under section 611(e)(1) by an amount that bears the same
6 relation to the maximum amount described in that para-
7 graph as the reduction under section 612(a)(18)(B) bears
8 to the total allocation the State would have received in
9 that fiscal year under section 611(d) in the absence of the
10 reduction: *Provided further*, That the Secretary shall ei-
11 ther reduce the allocation of funds under section 611 for
12 any fiscal year following the fiscal year for which the State
13 fails to comply with the requirement of section
14 612(a)(18)(A) as authorized by section 612(a)(18)(B), or
15 seek to recover funds under section 452 of the General
16 Education Provisions Act (20 U.S.C. 1234a): *Provided*
17 *further*, That the funds reserved under 611(c) of the
18 IDEA may be used to provide technical assistance to
19 States to improve the capacity of the States to meet the
20 data collection requirements of sections 616 and 618 and
21 to administer and carry out other services and activities
22 to improve data collection, coordination, quality, and use
23 under parts B and C of the IDEA: *Provided further*, That
24 the Secretary may use funds made available for the State
25 Personnel Development Grants program under part D,

1 subpart 1 of IDEA to evaluate program performance
2 under such subpart.

3 REHABILITATION SERVICES

4 For carrying out, to the extent not otherwise pro-
5 vided, the Rehabilitation Act of 1973 and the Helen Keller
6 National Center Act, \$3,562,582,000, of which
7 \$3,452,931,000 shall be for grants for vocational rehabili-
8 tation services under title I of the Rehabilitation Act: *Pro-*
9 *vided*, That the Secretary may use amounts provided in
10 this Act that remain available subsequent to the reallocot-
11 ment of funds to States pursuant to section 110(b) of the
12 Rehabilitation Act for innovative activities aimed at im-
13 proving the outcomes of individuals with disabilities as de-
14 fined in section 7(20)(B) of the Rehabilitation Act, includ-
15 ing activities aimed at improving the education and post-
16 school outcomes of children receiving Supplemental Secu-
17 rity Income (“SSI”) and their families that may result
18 in long-term improvement in the SSI child recipient’s eco-
19 nomic status and self-sufficiency: *Provided further*, That
20 States may award subgrants for a portion of the funds
21 to other public and private, nonprofit entities: *Provided*
22 *further*, That any funds made available subsequent to real-
23 lotment for innovative activities aimed at improving the
24 outcomes of individuals with disabilities shall remain avail-
25 able until September 30, 2019.

1 SPECIAL INSTITUTIONS FOR PERSONS WITH
2 DISABILITIES

3 AMERICAN PRINTING HOUSE FOR THE BLIND

4 For carrying out the Act to promote the Education
5 of the Blind of March 3, 1879, \$26,431,000.

6 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

7 For the National Technical Institute for the Deaf
8 under titles I and II of the Education of the Deaf Act
9 of 1986, \$70,016,000: *Provided*, That from the total
10 amount available, the Institute may at its discretion use
11 funds for the endowment program as authorized under
12 section 207 of such Act.

13 GALLAUDET UNIVERSITY

14 For the Kendall Demonstration Elementary School,
15 the Model Secondary School for the Deaf, and the partial
16 support of Gallaudet University under titles I and II of
17 the Education of the Deaf Act of 1986, \$128,000,000:
18 *Provided*, That from the total amount available, the Uni-
19 versity may at its discretion use funds for the endowment
20 program as authorized under section 207 of such Act.

21 CAREER, TECHNICAL, AND ADULT EDUCATION

22 For carrying out, to the extent not otherwise pro-
23 vided, the Carl D. Perkins Career and Technical Edu-
24 cation Act of 2006 and the Adult Education and Family
25 Literacy Act (“AEFLA”), \$1,720,686,000, of which

1 \$929,686,000 shall become available on July 1, 2018, and
2 shall remain available through September 30, 2019, and
3 of which \$791,000,000 shall become available on October
4 1, 2018, and shall remain available through September 30,
5 2019: *Provided*, That of the amounts made available for
6 AEFLA, \$13,712,000 shall be for national leadership ac-
7 tivities under section 242.

8 STUDENT FINANCIAL ASSISTANCE

9 For carrying out subparts 1, 3, and 10 of part A,
10 and part C of title IV of the HEA, \$24,198,210,000,
11 which shall remain available through September 30, 2019.

12 The maximum Pell Grant for which a student shall
13 be eligible during award year 2018–2019 shall be \$4,860.

14 STUDENT AID ADMINISTRATION

15 For Federal administrative expenses to carry out part
16 D of title I, and subparts 1, 3, 9, and 10 of part A, and
17 parts B, C, D, and E of title IV of the HEA, and subpart
18 1 of part A of title VII of the Public Health Service Act,
19 \$1,697,711,000, to remain available through September
20 30, 2019.

21 HIGHER EDUCATION

22 For carrying out, to the extent not otherwise pro-
23 vided, titles III, IV, V, VI, and VII of the HEA, and sec-
24 tion 117 of the Carl D. Perkins Career and Technical
25 Education Act of 2006, \$2,038,126,000: *Provided*, That

1 notwithstanding any other provision of law, funds made
2 available in this Act to carry out title VI of the HEA may
3 be used to support visits and study in foreign countries
4 by individuals who are participating in advanced foreign
5 language training and international studies in areas that
6 are vital to United States national security and who plan
7 to apply their language skills and knowledge of these coun-
8 tries in the fields of government, the professions, or inter-
9 national development: *Provided further*, That of the funds
10 referred to in the preceding proviso up to 1 percent may
11 be used for program evaluation, national outreach, and in-
12 formation dissemination activities: *Provided further*, That
13 up to 1.5 percent of the funds made available under chap-
14 ter 2 of subpart 2 of part A of title IV of the HEA may
15 be used for evaluation.

16 HOWARD UNIVERSITY

17 For partial support of Howard University,
18 \$221,821,000, of which not less than \$3,405,000 shall be
19 for a matching endowment grant pursuant to the Howard
20 University Endowment Act and shall remain available
21 until expended.

1 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
2 PROGRAM

3 For Federal administrative expenses to carry out ac-
4 tivities related to existing facility loans pursuant to section
5 121 of the HEA, \$434,000.

6 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
7 CAPITAL FINANCING PROGRAM ACCOUNT

8 For the cost of guaranteed loans, \$20,112,000, as au-
9 thorized pursuant to part D of title III of the HEA, which
10 shall remain available through September 30, 2019: *Pro-*
11 *vided*, That such costs, including the cost of modifying
12 such loans, shall be as defined in section 502 of the Con-
13 gressional Budget Act of 1974: *Provided further*, That
14 these funds are available to subsidize total loan principal,
15 any part of which is to be guaranteed, not to exceed
16 \$313,513,000: *Provided further*, That these funds may be
17 used to support loans to public and private Historically
18 Black Colleges and Universities without regard to the limi-
19 tations within section 344(a) of the HEA.

20 In addition, for administrative expenses to carry out
21 the Historically Black College and University Capital Fi-
22 nancing Program entered into pursuant to part D of title
23 III of the HEA, \$333,000.

1 INSTITUTE OF EDUCATION SCIENCES

2 For carrying out activities authorized by the Edu-
3 cation Sciences Reform Act of 2002, the National Assess-
4 ment of Educational Progress Authorization Act, section
5 208 of the Educational Technical Assistance Act of 2002,
6 and section 664 of the Individuals with Disabilities Edu-
7 cation Act, \$605,267,000, which shall remain available
8 through September 30, 2019: *Provided*, That funds avail-
9 able to carry out section 208 of the Educational Technical
10 Assistance Act may be used to link Statewide elementary
11 and secondary data systems with early childhood, postsec-
12 ondary, and workforce data systems, or to further develop
13 such systems: *Provided further*, That up to \$6,000,000 of
14 the funds available to carry out section 208 of the Edu-
15 cational Technical Assistance Act may be used for awards
16 to public or private organizations or agencies to support
17 activities to improve data coordination, quality, and use
18 at the local, State, and national levels.

19 DEPARTMENTAL MANAGEMENT

20 PROGRAM ADMINISTRATION

21 For carrying out, to the extent not otherwise pro-
22 vided, the Department of Education Organization Act, in-
23 cluding rental of conference rooms in the District of Co-
24 lumbia and hire of three passenger motor vehicles,
25 \$431,000,000.

1 OFFICE FOR CIVIL RIGHTS

2 For expenses necessary for the Office for Civil
3 Rights, as authorized by section 203 of the Department
4 of Education Organization Act, \$108,500,000.

5 OFFICE OF INSPECTOR GENERAL

6 For expenses necessary for the Office of Inspector
7 General, as authorized by section 212 of the Department
8 of Education Organization Act, \$59,256,000.

9 GENERAL PROVISIONS

10 SEC. 301. No funds appropriated in this Act may be
11 used for the transportation of students or teachers (or for
12 the purchase of equipment for such transportation) in
13 order to overcome racial imbalance in any school or school
14 system, or for the transportation of students or teachers
15 (or for the purchase of equipment for such transportation)
16 in order to carry out a plan of racial desegregation of any
17 school or school system.

18 SEC. 302. None of the funds contained in this Act
19 shall be used to require, directly or indirectly, the trans-
20 portation of any student to a school other than the school
21 which is nearest the student's home, except for a student
22 requiring special education, to the school offering such
23 special education, in order to comply with title VI of the
24 Civil Rights Act of 1964. For the purpose of this section
25 an indirect requirement of transportation of students in-

1 cludes the transportation of students to carry out a plan
2 involving the reorganization of the grade structure of
3 schools, the pairing of schools, or the clustering of schools,
4 or any combination of grade restructuring, pairing, or
5 clustering. The prohibition described in this section does
6 not include the establishment of magnet schools.

7 SEC. 303. No funds appropriated in this Act may be
8 used to prevent the implementation of programs of vol-
9 untary prayer and meditation in the public schools.

10 (TRANSFER OF FUNDS)

11 SEC. 304. Not to exceed 1 percent of any discre-
12 tionary funds (pursuant to the Balanced Budget and
13 Emergency Deficit Control Act of 1985) which are appro-
14 priated for the Department of Education in this Act may
15 be transferred between appropriations, but no such appro-
16 priation shall be increased by more than 3 percent by any
17 such transfer: *Provided*, That the transfer authority
18 granted by this section shall not be used to create any
19 new program or to fund any project or activity for which
20 no funds are provided in this Act: *Provided further*, That
21 the Committees on Appropriations of the House of Rep-
22 resentatives and the Senate are notified at least 15 days
23 in advance of any transfer.

24 SEC. 305. Section 105(f)(1)(B)(ix) of the Compact
25 of Free Association Amendments Act of 2003 (48 U.S.C.

1 1921d(f)(1)(B)(ix)) shall be applied by substituting
2 “2018” for “2017”.

3 SEC. 306. Funds appropriated in this Act and con-
4 solidated for evaluation purposes under section 8601(c) of
5 the ESEA shall be available from July 1, 2018, through
6 September 30, 2019.

7 SEC. 307. (a) An institution of higher education that
8 maintains an endowment fund supported with funds ap-
9 propriated for title III or V of the HEA for fiscal year
10 2018 may use the income from that fund to award schol-
11 arships to students, subject to the limitation in section
12 331(c)(3)(B)(i) of the HEA. The use of such income for
13 such purposes, prior to the enactment of this Act, shall
14 be considered to have been an allowable use of that in-
15 come, subject to that limitation.

16 (b) Subsection (a) shall be in effect until titles III
17 and V of the HEA are reauthorized.

18 SEC. 308. Section 114(f) of the HEA (20 U.S.C.
19 1011c(f)) is amended by striking “2017” and inserting
20 “2018”.

21 SEC. 309. Section 458(a) of the HEA (20 U.S.C.
22 1087h(a)) is amended in paragraph (4) by striking
23 “2017” and inserting “2018”.

1 (RESCISSION)

2 SEC. 310. Of the unobligated balances available from
3 Public Law 114–113 under the heading “Student Finan-
4 cial Assistance” for carrying out subpart 1 of part A of
5 title IV of the HEA, \$3,270,844,000 are hereby rescinded.

6 This title may be cited as the “Department of Edu-
7 cation Appropriations Act, 2018”.

8 TITLE IV

9 RELATED AGENCIES

10 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

11 BLIND OR SEVERELY DISABLED

12 SALARIES AND EXPENSES

13 For expenses necessary for the Committee for Pur-
14 chase From People Who Are Blind or Severely Disabled
15 established under section 8502 of title 41, United States
16 Code, \$8,000,000: *Provided*, That in order to authorize
17 any central nonprofit agency designated pursuant to sec-
18 tion 8503(c) of title 41, United States Code, to perform
19 contract requirements of the Committee as prescribed
20 under section 51–3.2 of title 41, Code of Federal Regula-
21 tions, the Committee shall enter into a written agreement
22 with any such central nonprofit agency: *Provided further*,
23 That such agreement shall contain such auditing, over-
24 sight, and reporting provisions as necessary to implement
25 chapter 85 of title 41, United States Code: *Provided fur-*

1 *ther*, That such agreement shall include the elements listed
2 under this heading in the explanatory statement accom-
3 panying Public Law 114–113: *Provided further*, That any
4 such central nonprofit agency may not charge a fee under
5 section 51–3.5 of title 41, Code of Federal Regulations,
6 unless such fee is under the terms of the written agree-
7 ment between the Committee and any such central non-
8 profit agency: *Provided further*, That no less than
9 \$1,250,000 shall be available for the Office of Inspector
10 General to remain available through September 30, 2019.

11 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

12 OPERATING EXPENSES

13 For necessary expenses for the Corporation for Na-
14 tional and Community Service (referred to in this title as
15 “CNCS”) to carry out the Domestic Volunteer Service Act
16 of 1973 (referred to in this title as “1973 Act”) and the
17 National and Community Service Act of 1990 (referred
18 to in this title as “1990 Act”), \$736,029,000, notwith-
19 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
20 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
21 amounts provided under this heading: (1) up to 1 percent
22 of program grant funds may be used to defray the costs
23 of conducting grant application reviews, including the use
24 of outside peer reviewers and electronic management of
25 the grants cycle; (2) \$16,538,000 shall be available to pro-

1 vide assistance to State commissions on national and com-
2 munity service, under section 126(a) of the 1990 Act and
3 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
4 \$30,000,000 shall be available to carry out subtitle E of
5 the 1990 Act; and (4) \$3,800,000 shall be available for
6 expenses authorized under section 501(a)(4)(F) of the
7 1990 Act, which, notwithstanding the provisions of section
8 198P shall be awarded by CNCS on a competitive basis:
9 *Provided further*, That for the purposes of carrying out
10 the 1990 Act, satisfying the requirements in section
11 122(c)(1)(D) may include a determination of need by the
12 local community.

13 PAYMENT TO THE NATIONAL SERVICE TRUST
14 (INCLUDING TRANSFER OF FUNDS)

15 For payment to the National Service Trust estab-
16 lished under subtitle D of title I of the 1990 Act,
17 \$206,842,000, to remain available until expended: *Pro-*
18 *vided*, That CNCS may transfer additional funds from the
19 amount provided within “Operating Expenses” allocated
20 to grants under subtitle C of title I of the 1990 Act to
21 the National Service Trust upon determination that such
22 transfer is necessary to support the activities of national
23 service participants and after notice is transmitted to the
24 Committees on Appropriations of the House of Represent-
25 atives and the Senate: *Provided further*, That amounts ap-

1 propriated for or transferred to the National Service Trust
2 may be invested under section 145(b) of the 1990 Act
3 without regard to the requirement to apportion funds
4 under 31 U.S.C. 1513(b).

5 SALARIES AND EXPENSES

6 For necessary expenses of administration as provided
7 under section 501(a)(5) of the 1990 Act and under section
8 504(a) of the 1973 Act, including payment of salaries, au-
9 thorized travel, hire of passenger motor vehicles, the rental
10 of conference rooms in the District of Columbia, the em-
11 ployment of experts and consultants authorized under 5
12 U.S.C. 3109, and not to exceed \$2,500 for official recep-
13 tion and representation expenses, \$81,737,000.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General in carrying out the Inspector General Act of 1978,
17 \$5,750,000.

18 ADMINISTRATIVE PROVISIONS

19 SEC. 401. CNCS shall make any significant changes
20 to program requirements, service delivery or policy only
21 through public notice and comment rulemaking. For fiscal
22 year 2018, during any grant selection process, an officer
23 or employee of CNCS shall not knowingly disclose any cov-
24 ered grant selection information regarding such selection,
25 directly or indirectly, to any person other than an officer

1 or employee of CNCS that is authorized by CNCS to re-
2 ceive such information.

3 SEC. 402. AmeriCorps programs receiving grants
4 under the National Service Trust program shall meet an
5 overall minimum share requirement of 24 percent for the
6 first 3 years that they receive AmeriCorps funding, and
7 thereafter shall meet the overall minimum share require-
8 ment as provided in section 2521.60 of title 45, Code of
9 Federal Regulations, without regard to the operating costs
10 match requirement in section 121(e) or the member sup-
11 port Federal share limitations in section 140 of the 1990
12 Act, and subject to partial waiver consistent with section
13 2521.70 of title 45, Code of Federal Regulations.

14 SEC. 403. Donations made to CNCS under section
15 196 of the 1990 Act for the purposes of financing pro-
16 grams and operations under titles I and II of the 1973
17 Act or subtitle B, C, D, or E of title I of the 1990 Act
18 shall be used to supplement and not supplant current pro-
19 grams and operations.

20 SEC. 404. In addition to the requirements in section
21 146(a) of the 1990 Act, use of an educational award for
22 the purpose described in section 148(a)(4) shall be limited
23 to individuals who are veterans as defined under section
24 101 of the Act.

1 SEC. 405. For the purpose of carrying out section
2 189D of the 1990 Act—

3 (1) entities described in paragraph (a) of such
4 section shall be considered “qualified entities” under
5 section 3 of the National Child Protection Act of
6 1993 (“NCPA”);

7 (2) individuals described in such section shall
8 be considered “volunteers” under section 3 of
9 NCPA; and

10 (3) State Commissions on National and Com-
11 munity Service established pursuant to section 178
12 of the 1990 Act, are authorized to receive criminal
13 history record information, consistent with Public
14 Law 92–544.

15 CORPORATION FOR PUBLIC BROADCASTING

16 For payment to the Corporation for Public Broad-
17 casting (“CPB”), as authorized by the Communications
18 Act of 1934, an amount which shall be available within
19 limitations specified by that Act, for the fiscal year 2020,
20 \$445,000,000: *Provided*, That none of the funds made
21 available to CPB by this Act shall be used to pay for re-
22 ceptions, parties, or similar forms of entertainment for
23 Government officials or employees: *Provided further*, That
24 none of the funds made available to CPB by this Act shall
25 be available or used to aid or support any program or ac-

1 tivity from which any person is excluded, or is denied ben-
2 efits, or is discriminated against, on the basis of race,
3 color, national origin, religion, or sex: *Provided further*,
4 That none of the funds made available to CPB by this
5 Act shall be used to apply any political test or qualification
6 in selecting, appointing, promoting, or taking any other
7 personnel action with respect to officers, agents, and em-
8 ployees of CPB: *Provided further*, That none of the funds
9 made available to CPB by this Act shall be used to support
10 the Television Future Fund or any similar purpose.

11 FEDERAL MEDIATION AND CONCILIATION SERVICE

12 SALARIES AND EXPENSES

13 For expenses necessary for the Federal Mediation
14 and Conciliation Service (“Service”) to carry out the func-
15 tions vested in it by the Labor-Management Relations Act,
16 1947, including hire of passenger motor vehicles; for ex-
17 penses necessary for the Labor-Management Cooperation
18 Act of 1978; and for expenses necessary for the Service
19 to carry out the functions vested in it by the Civil Service
20 Reform Act, \$46,650,000, including up to \$900,000 to re-
21 main available through September 30, 2019, for activities
22 authorized by the Labor-Management Cooperation Act of
23 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,
24 fees charged, up to full-cost recovery, for special training
25 activities and other conflict resolution services and tech-

1 nical assistance, including those provided to foreign gov-
2 ernments and international organizations, and for arbitra-
3 tion services shall be credited to and merged with this ac-
4 count, and shall remain available until expended: *Provided*
5 *further*, That fees for arbitration services shall be available
6 only for education, training, and professional development
7 of the agency workforce: *Provided further*, That the Direc-
8 tor of the Service is authorized to accept and use on behalf
9 of the United States gifts of services and real, personal,
10 or other property in the aid of any projects or functions
11 within the Director's jurisdiction.

12 FEDERAL MINE SAFETY AND HEALTH REVIEW

13 COMMISSION

14 SALARIES AND EXPENSES

15 For expenses necessary for the Federal Mine Safety
16 and Health Review Commission, \$17,134,000.

17 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

18 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

19 AND ADMINISTRATION

20 For carrying out the Museum and Library Services
21 Act of 1996 and the National Museum of African Amer-
22 ican History and Culture Act, \$231,000,000.

1 MEDICAID AND CHIP PAYMENT AND ACCESS

2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary to carry out section 1900 of
5 the Social Security Act, \$7,500,000.

6 MEDICARE PAYMENT ADVISORY COMMISSION

7 SALARIES AND EXPENSES

8 For expenses necessary to carry out section 1805 of
9 the Social Security Act, \$12,175,000, to be transferred to
10 this appropriation from the Federal Hospital Insurance
11 Trust Fund and the Federal Supplementary Medical In-
12 surance Trust Fund.

13 NATIONAL COUNCIL ON DISABILITY

14 SALARIES AND EXPENSES

15 For expenses necessary for the National Council on
16 Disability as authorized by title IV of the Rehabilitation
17 Act of 1973, \$3,200,000.

18 NATIONAL LABOR RELATIONS BOARD

19 SALARIES AND EXPENSES

20 For expenses necessary for the National Labor Rela-
21 tions Board to carry out the functions vested in it by the
22 Labor-Management Relations Act, 1947, and other laws,
23 \$249,000,000: *Provided*, That no part of this appropria-
24 tion shall be available to organize or assist in organizing
25 agricultural laborers or used in connection with investiga-

1 tions, hearings, directives, or orders concerning bargaining
2 units composed of agricultural laborers as referred to in
3 section 2(3) of the Act of July 5, 1935, and as amended
4 by the Labor-Management Relations Act, 1947, and as de-
5 fined in section 3(f) of the Act of June 25, 1938, and
6 including in said definition employees engaged in the
7 maintenance and operation of ditches, canals, reservoirs,
8 and waterways when maintained or operated on a mutual,
9 nonprofit basis and at least 95 percent of the water stored
10 or supplied thereby is used for farming purposes.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 406. None of the funds provided by this Act
13 or previous Acts making appropriations for the National
14 Labor Relations Board may be used to issue any new ad-
15 ministrative directive or regulation that would provide em-
16 ployees any means of voting through any electronic means
17 in an election to determine a representative for the pur-
18 poses of collective bargaining.

19 SEC. 407. (a) None of the funds made available by
20 this Act may be used to enforce the National Labor Rela-
21 tions Act (29 U.S.C. 152) against any Indian Tribe, in-
22 cluding any enterprise or institution owned and operated
23 by an Indian Tribe and located on its Indian lands.

24 (b) For purposes of this section—

1 (1) the term “Indian Tribe” means any Indian
2 Tribe, band, nation, pueblo, Native Alaskan group,
3 or other organized group or community which is rec-
4 ognized as eligible for the special programs and serv-
5 ices provided by the United States to Indians be-
6 cause of their status as Indians;

7 (2) the term “Indian” means any individual
8 who is a member of an Indian Tribe; and

9 (3) the term “Indian lands’ ” means—

10 (A) all lands within the limits of any In-
11 dian reservation;

12 (B) any lands title to which is either held
13 in trust by the United States for the benefit of
14 any Indian Tribe or individual or held by any
15 Indian Tribe or individual subject to restriction
16 by the United States against alienation; and

17 (C) any lands in the State of Oklahoma
18 that are within the boundaries of a former res-
19 ervation (as defined by the Secretary of the In-
20 terior) of a federally recognized Indian Tribe.

21 SEC. 408. None of the funds made available by this
22 Act may be used to issue, enforce, or litigate any adminis-
23 trative directive, regulation, representation issue, or unfair
24 labor practice proceeding, or any other administrative
25 complaint, charge, claim, or proceeding based on the

1 standard for determining whether entities are “joint em-
2 ployers” set forth by the National Labor Relations Board
3 in *Browning-Ferris Industries of California, Inc.*, 362
4 NLRB No. 186 (August 27, 2015).

5 SEC. 409. None of the funds made available by this
6 Act may be used to—

7 (1) implement, create, apply, or enforce through
8 prosecution, adjudication, rulemaking, or the issuing
9 of any interpretation, opinion, certification, decision,
10 or policy, any standard for initial bargaining unit
11 determinations that conflicts with the standard ar-
12 ticulated in the majority opinion in *Wheeling Island*
13 *Gaming Inc. and United Food and Commercial*
14 *Workers International Union, Local 23*, 355 NLRB
15 127 (August 27, 2010) (including the majority opin-
16 ion in footnote 2), except for unit determinations
17 governed by section 103.30 of title 34, Code of Fed-
18 eral Regulations, for employers covered by such sec-
19 tion; or

20 (2) implement, create, apply, or enforce through
21 prosecution, adjudication, rulemaking, or the issuing
22 of any interpretation, opinion, certification, decision,
23 or policy, any standard for initial bargaining unit
24 determinations that utilize the overwhelming com-
25 munity of interest test except in accretion cases.

1 NATIONAL MEDIATION BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the provisions
4 of the Railway Labor Act, including emergency boards ap-
5 pointed by the President, \$13,500,000.

6 OCCUPATIONAL SAFETY AND HEALTH REVIEW

7 COMMISSION

8 SALARIES AND EXPENSES

9 For expenses necessary for the Occupational Safety
10 and Health Review Commission, \$12,875,000.

11 RAILROAD RETIREMENT BOARD

12 DUAL BENEFITS PAYMENTS ACCOUNT

13 For payment to the Dual Benefits Payments Ac-
14 count, authorized under section 15(d) of the Railroad Re-
15 tirement Act of 1974, \$22,000,000, which shall include
16 amounts becoming available in fiscal year 2018 pursuant
17 to section 224(c)(1)(B) of Public Law 98–76; and in addi-
18 tion, an amount, not to exceed 2 percent of the amount
19 provided herein, shall be available proportional to the
20 amount by which the product of recipients and the average
21 benefit received exceeds the amount available for payment
22 of vested dual benefits: *Provided*, That the total amount
23 provided herein shall be credited in 12 approximately
24 equal amounts on the first day of each month in the fiscal
25 year.

1 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

2 ACCOUNTS

3 For payment to the accounts established in the
4 Treasury for the payment of benefits under the Railroad
5 Retirement Act for interest earned on unnegotiated
6 checks, \$150,000, to remain available through September
7 30, 2019, which shall be the maximum amount available
8 for payment pursuant to section 417 of Public Law 98–
9 76.

10 LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board (“Board”) for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$113,500,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: *Provided*, That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: *Provided further*, That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013.

1 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

2 For expenses necessary for the Office of Inspector
3 General for audit, investigatory and review activities, as
4 authorized by the Inspector General Act of 1978, not more
5 than \$10,000,000, to be derived from the railroad retire-
6 ment accounts and railroad unemployment insurance ac-
7 count.

8 SOCIAL SECURITY ADMINISTRATION

9 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

10 For payment to the Federal Old-Age and Survivors
11 Insurance Trust Fund and the Federal Disability Insur-
12 ance Trust Fund, as provided under sections 201(m) and
13 1131(b)(2) of the Social Security Act, \$11,400,000.

14 SUPPLEMENTAL SECURITY INCOME PROGRAM

15 For carrying out titles XI and XVI of the Social Se-
16 curity Act, section 401 of Public Law 92–603, section 212
17 of Public Law 93–66, as amended, and section 405 of
18 Public Law 95–216, including payment to the Social Secu-
19 rity trust funds for administrative expenses incurred pur-
20 suant to section 201(g)(1) of the Social Security Act,
21 \$38,591,635,000, to remain available until expended: *Pro-*
22 *vided*, That any portion of the funds provided to a State
23 in the current fiscal year and not obligated by the State
24 during that year shall be returned to the Treasury: *Pro-*
25 *vided further*, That not more than \$101,000,000 shall be

1 available for research and demonstrations under sections
2 1110, 1115, and 1144 of the Social Security Act, and re-
3 main available through September 30, 2020.

4 For making, after June 15 of the current fiscal year,
5 benefit payments to individuals under title XVI of the So-
6 cial Security Act, for unanticipated costs incurred for the
7 current fiscal year, such sums as may be necessary.

8 For making benefit payments under title XVI of the
9 Social Security Act for the first quarter of fiscal year
10 2019, \$19,500,000,000, to remain available until ex-
11 pended.

12 LIMITATION ON ADMINISTRATIVE EXPENSES

13 For necessary expenses, including the hire of two pas-
14 senger motor vehicles, and not to exceed \$20,000 for offi-
15 cial reception and representation expenses, not more than
16 \$12,273,945,000 may be expended, as authorized by sec-
17 tion 201(g)(1) of the Social Security Act, from any one
18 or all of the trust funds referred to in such section: *Pro-*
19 *vided*, That not less than \$2,300,000 shall be for the So-
20 cial Security Advisory Board: *Provided further*, That unob-
21 ligated balances of funds provided under this paragraph
22 at the end of fiscal year 2018 not needed for fiscal year
23 2018 shall remain available until expended to invest in the
24 Social Security Administration information technology
25 and telecommunications hardware and software infra-

1 structure, including related equipment and non-payroll ad-
2 ministrative expenses associated solely with this informa-
3 tion technology and telecommunications infrastructure:
4 *Provided further*, That the Commissioner of Social Secu-
5 rity shall notify the Committees on Appropriations of the
6 House of Representatives and the Senate prior to making
7 unobligated balances available under the authority in the
8 previous proviso: *Provided further*, That reimbursement to
9 the trust funds under this heading for expenditures for
10 official time for employees of the Social Security Adminis-
11 tration pursuant to 5 U.S.C. 7131, and for facilities or
12 support services for labor organizations pursuant to poli-
13 cies, regulations, or procedures referred to in section
14 7135(b) of such title shall be made by the Secretary of
15 the Treasury, with interest, from amounts in the general
16 fund not otherwise appropriated, as soon as possible after
17 such expenditures are made.

18 Of the total amount made available under this head-
19 ing, not more than \$1,735,000,000, to remain available
20 through March 31, 2019, is for the costs associated with
21 continuing disability reviews under titles II and XVI of
22 the Social Security Act, including work-related continuing
23 disability reviews to determine whether earnings derived
24 from services demonstrate an individual's ability to engage
25 in substantial gainful activity, for the cost associated with

1 conducting redeterminations of eligibility under title XVI
2 of the Social Security Act, for the cost of co-operative dis-
3 ability investigation units, and for the cost associated with
4 the prosecution of fraud in the programs and operations
5 of the Social Security Administration by Special Assistant
6 United States Attorneys: *Provided*, That, of such amount,
7 \$273,000,000 is provided to meet the terms of section
8 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emer-
9 gency Deficit Control Act of 1985, as amended, and
10 \$1,462,000,000 is additional new budget authority speci-
11 fied for purposes of section 251(b)(2)(B) of such Act: *Pro-*
12 *vided further*, That the Commissioner shall provide to the
13 Congress (at the conclusion of the fiscal year) a report
14 on the obligation and expenditure of these funds, similar
15 to the reports that were required by section 103(d)(2) of
16 Public Law 104–121 for fiscal years 1996 through 2002.

17 In addition, \$118,000,000 to be derived from admin-
18 istration fees in excess of \$5.00 per supplementary pay-
19 ment collected pursuant to section 1616(d) of the Social
20 Security Act or section 212(b)(3) of Public Law 93–66,
21 which shall remain available until expended. To the extent
22 that the amounts collected pursuant to such sections in
23 fiscal year 2018 exceed \$118,000,000, the amounts shall
24 be available in fiscal year 2019 only to the extent provided
25 in advance in appropriations Acts.

1 In addition, up to \$1,000,000 to be derived from fees
2 collected pursuant to section 303(c) of the Social Security
3 Protection Act, which shall remain available until ex-
4 pended.

5 OFFICE OF INSPECTOR GENERAL
6 (INCLUDING TRANSFER OF FUNDS)

7 For expenses necessary for the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$30,000,000, together with not to
10 exceed \$75,500,000, to be transferred and expended as
11 authorized by section 201(g)(1) of the Social Security Act
12 from the Federal Old-Age and Survivors Insurance Trust
13 Fund and the Federal Disability Insurance Trust Fund.

14 In addition, an amount not to exceed 3 percent of
15 the total provided in this appropriation may be transferred
16 from the “Limitation on Administrative Expenses”, Social
17 Security Administration, to be merged with this account,
18 to be available for the time and purposes for which this
19 account is available: *Provided*, That notice of such trans-
20 fers shall be transmitted promptly to the Committees on
21 Appropriations of the House of Representatives and the
22 Senate at least 15 days in advance of any transfer.

1

TITLE V

2

GENERAL PROVISIONS

3

(TRANSFER OF FUNDS)

4

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regu-

1 lation, administrative action, or order issued by the execu-
2 tive branch of any State or local government, except in
3 presentation to the executive branch of any State or local
4 government itself.

5 (b) No part of any appropriation contained in this
6 Act or transferred pursuant to section 4002 of Public Law
7 111–148 shall be used to pay the salary or expenses of
8 any grant or contract recipient, or agent acting for such
9 recipient, related to any activity designed to influence the
10 enactment of legislation, appropriations, regulation, ad-
11 ministrative action, or Executive order proposed or pend-
12 ing before the Congress or any State government, State
13 legislature or local legislature or legislative body, other
14 than for normal and recognized executive-legislative rela-
15 tionships or participation by an agency or officer of a
16 State, local or tribal government in policymaking and ad-
17 ministrative processes within the executive branch of that
18 government.

19 (c) The prohibitions in subsections (a) and (b) shall
20 include any activity to advocate or promote any proposed,
21 pending or future Federal, State or local tax increase, or
22 any proposed, pending, or future requirement or restric-
23 tion on any legal consumer product, including its sale or
24 marketing, including but not limited to the advocacy or
25 promotion of gun control.

1 SEC. 504. The Secretaries of Labor and Education
2 are authorized to make available not to exceed \$28,000
3 and \$20,000, respectively, from funds available for sala-
4 ries and expenses under titles I and III, respectively, for
5 official reception and representation expenses; the Direc-
6 tor of the Federal Mediation and Conciliation Service is
7 authorized to make available for official reception and rep-
8 resentation expenses not to exceed \$5,000 from the funds
9 available for “Federal Mediation and Conciliation Service,
10 Salaries and Expenses”; and the Chairman of the Na-
11 tional Mediation Board is authorized to make available for
12 official reception and representation expenses not to ex-
13 ceed \$5,000 from funds available for “National Mediation
14 Board, Salaries and Expenses”.

15 SEC. 505. When issuing statements, press releases,
16 requests for proposals, bid solicitations and other docu-
17 ments describing projects or programs funded in whole or
18 in part with Federal money, all grantees receiving Federal
19 funds included in this Act, including but not limited to
20 State and local governments and recipients of Federal re-
21 search grants, shall clearly state—

22 (1) the percentage of the total costs of the pro-
23 gram or project which will be financed with Federal
24 money;

1 (2) the dollar amount of Federal funds for the
2 project or program; and

3 (3) percentage and dollar amount of the total
4 costs of the project or program that will be financed
5 by non-governmental sources.

6 SEC. 506. (a) None of the funds appropriated in this
7 Act, and none of the funds in any trust fund to which
8 funds are appropriated in this Act, shall be expended for
9 any abortion.

10 (b) None of the funds appropriated in this Act, and
11 none of the funds in any trust fund to which funds are
12 appropriated in this Act, shall be expended for health ben-
13 efits coverage that includes coverage of abortion.

14 (c) The term “health benefits coverage” means the
15 package of services covered by a managed care provider
16 or organization pursuant to a contract or other arrange-
17 ment.

18 SEC. 507. (a) The limitations established in the pre-
19 ceding section shall not apply to an abortion—

20 (1) if the pregnancy is the result of an act of
21 rape or incest; or

22 (2) in the case where a woman suffers from a
23 physical disorder, physical injury, or physical illness,
24 including a life-endangering physical condition
25 caused by or arising from the pregnancy itself, that

1 would, as certified by a physician, place the woman
2 in danger of death unless an abortion is performed.

3 (b) Nothing in the preceding section shall be con-
4 strued as prohibiting the expenditure by a State, locality,
5 entity, or private person of State, local, or private funds
6 (other than a State's or locality's contribution of Medicaid
7 matching funds).

8 (c) Nothing in the preceding section shall be con-
9 strued as restricting the ability of any managed care pro-
10 vider from offering abortion coverage or the ability of a
11 State or locality to contract separately with such a pro-
12 vider for such coverage with State funds (other than a
13 State's or locality's contribution of Medicaid matching
14 funds).

15 (d)(1) None of the funds made available in this Act
16 may be made available to a Federal agency or program,
17 or to a State or local government, if such agency, program,
18 or government subjects any institutional or individual
19 health care entity to discrimination on the basis that the
20 health care entity does not provide, pay for, provide cov-
21 erage of, or refer for abortions.

22 (2) In this subsection, the term "health care entity"
23 includes an individual physician or other health care pro-
24 fessional, a hospital, a provider-sponsored organization, a
25 health maintenance organization, a health insurance plan,

1 or any other kind of health care facility, organization, or
2 plan.

3 SEC. 508. (a) None of the funds made available in
4 this Act may be used for—

5 (1) the creation of a human embryo or embryos
6 for research purposes; or

7 (2) research in which a human embryo or em-
8 bryos are destroyed, discarded, or knowingly sub-
9 jected to risk of injury or death greater than that
10 allowed for research on fetuses in utero under 45
11 CFR 46.204(b) and section 498(b) of the Public
12 Health Service Act (42 U.S.C. 289g(b)).

13 (b) For purposes of this section, the term “human
14 embryo or embryos” includes any organism, not protected
15 as a human subject under 45 CFR 46 as of the date of
16 the enactment of this Act, that is derived by fertilization,
17 parthenogenesis, cloning, or any other means from one or
18 more human gametes or human diploid cells.

19 SEC. 509. (a) None of the funds made available in
20 this Act may be used for any activity that promotes the
21 legalization of any drug or other substance included in
22 schedule I of the schedules of controlled substances estab-
23 lished under section 202 of the Controlled Substances Act
24 except for normal and recognized executive-congressional
25 communications.

1 (b) The limitation in subsection (a) shall not apply
2 when there is significant medical evidence of a therapeutic
3 advantage to the use of such drug or other substance or
4 that federally sponsored clinical trials are being conducted
5 to determine therapeutic advantage.

6 SEC. 510. None of the funds made available in this
7 Act may be used to promulgate or adopt any final stand-
8 ard under section 1173(b) of the Social Security Act pro-
9 viding for, or providing for the assignment of, a unique
10 health identifier for an individual (except in an individ-
11 ual's capacity as an employer or a health care provider),
12 until legislation is enacted specifically approving the
13 standard.

14 SEC. 511. None of the funds made available in this
15 Act may be obligated or expended to enter into or renew
16 a contract with an entity if—

17 (1) such entity is otherwise a contractor with
18 the United States and is subject to the requirement
19 in 38 U.S.C. 4212(d) regarding submission of an
20 annual report to the Secretary of Labor concerning
21 employment of certain veterans; and

22 (2) such entity has not submitted a report as
23 required by that section for the most recent year for
24 which such requirement was applicable to such enti-
25 ty.

1 SEC. 512. None of the funds made available in this
2 Act may be transferred to any department, agency, or in-
3 strumentality of the United States Government, except
4 pursuant to a transfer made by, or transfer authority pro-
5 vided in, this Act or any other appropriation Act.

6 SEC. 513. None of the funds made available by this
7 Act to carry out the Library Services and Technology Act
8 may be made available to any library covered by para-
9 graph (1) of section 224(f) of such Act, as amended by
10 the Children's Internet Protection Act, unless such library
11 has made the certifications required by paragraph (4) of
12 such section.

13 SEC. 514. (a) None of the funds provided under this
14 Act, or provided under previous appropriations Acts to the
15 agencies funded by this Act that remain available for obli-
16 gation or expenditure in fiscal year 2018, or provided from
17 any accounts in the Treasury of the United States derived
18 by the collection of fees available to the agencies funded
19 by this Act, shall be available for obligation or expenditure
20 through a reprogramming of funds that—

- 21 (1) creates new programs;
- 22 (2) eliminates a program, project, or activity;
- 23 (3) increases funds or personnel by any means
- 24 for any project or activity for which funds have been
- 25 denied or restricted;

1 (4) relocates an office or employees;
2 (5) reorganizes or renames offices;
3 (6) reorganizes programs or activities; or
4 (7) contracts out or privatizes any functions or
5 activities presently performed by Federal employees;
6 unless the Committees on Appropriations of the House of
7 Representatives and the Senate are consulted 15 days in
8 advance of such reprogramming or of an announcement
9 of intent relating to such reprogramming, whichever oc-
10 curs earlier, and are notified in writing 10 days in advance
11 of such reprogramming.

12 (b) None of the funds provided under this Act, or
13 provided under previous appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in fiscal year 2018, or provided from any
16 accounts in the Treasury of the United States derived by
17 the collection of fees available to the agencies funded by
18 this Act, shall be available for obligation or expenditure
19 through a reprogramming of funds in excess of \$500,000
20 or 10 percent, whichever is less, that—

21 (1) augments existing programs, projects (in-
22 cluding construction projects), or activities;
23 (2) reduces by 10 percent funding for any exist-
24 ing program, project, or activity, or numbers of per-
25 sonnel by 10 percent as approved by Congress; or

1 (3) results from any general savings from a re-
2 duction in personnel which would result in a change
3 in existing programs, activities, or projects as ap-
4 proved by Congress;

5 unless the Committees on Appropriations of the House of
6 Representatives and the Senate are consulted 15 days in
7 advance of such reprogramming or of an announcement
8 of intent relating to such reprogramming, whichever oc-
9 curs earlier, and are notified in writing 10 days in advance
10 of such reprogramming.

11 SEC. 515. (a) None of the funds made available in
12 this Act may be used to request that a candidate for ap-
13 pointment to a Federal scientific advisory committee dis-
14 close the political affiliation or voting history of the can-
15 didate or the position that the candidate holds with re-
16 spect to political issues not directly related to and nec-
17 essary for the work of the committee involved.

18 (b) None of the funds made available in this Act may
19 be used to disseminate information that is deliberately
20 false or misleading.

21 SEC. 516. Within 45 days of enactment of this Act,
22 each department and related agency funded through this
23 Act shall submit an operating plan that details at the pro-
24 gram, project, and activity level any funding allocations
25 for fiscal year 2018 that are different than those specified

1 in this Act, the accompanying detailed table in the com-
2 mittee report accompanying this Act, or the fiscal year
3 2018 budget request.

4 SEC. 517. The Secretaries of Labor, Health and
5 Human Services, and Education shall each prepare and
6 submit to the Committees on Appropriations of the House
7 of Representatives and the Senate a report on the number
8 and amount of contracts, grants, and cooperative agree-
9 ments exceeding \$500,000 in value and awarded by the
10 Department on a non-competitive basis during each quar-
11 ter of fiscal year 2018, but not to include grants awarded
12 on a formula basis or directed by law. Such report shall
13 include the name of the contractor or grantee, the amount
14 of funding, the governmental purpose, including a jus-
15 tification for issuing the award on a non-competitive basis.
16 Such report shall be transmitted to the Committees within
17 30 days after the end of the quarter for which the report
18 is submitted.

19 SEC. 518. None of the funds appropriated in this Act
20 shall be expended or obligated by the Commissioner of So-
21 cial Security, for purposes of administering Social Security
22 benefit payments under title II of the Social Security Act,
23 to process any claim for credit for a quarter of coverage
24 based on work performed under a social security account
25 number that is not the claimant's number and the per-

1 formance of such work under such number has formed the
2 basis for a conviction of the claimant of a violation of sec-
3 tion 208(a)(6) or (7) of the Social Security Act.

4 SEC. 519. None of the funds appropriated by this Act
5 may be used by the Commissioner of Social Security or
6 the Social Security Administration to pay the compensa-
7 tion of employees of the Social Security Administration
8 to administer Social Security benefit payments, under any
9 agreement between the United States and Mexico estab-
10 lishing totalization arrangements between the social secu-
11 rity system established by title II of the Social Security
12 Act and the social security system of Mexico, which would
13 not otherwise be payable but for such agreement.

14 SEC. 520. Notwithstanding any other provision of
15 this Act, no funds appropriated in this Act shall be used
16 to purchase sterile needles or syringes for the hypodermic
17 injection of any illegal drug: *Provided*, That such limita-
18 tion does not apply to the use of funds for elements of
19 a program other than making such purchases if the rel-
20 evant State or local health department, in consultation
21 with the Centers for Disease Control and Prevention, de-
22 termines that the State or local jurisdiction, as applicable,
23 is experiencing, or is at risk for, a significant increase in
24 hepatitis infections or an HIV outbreak due to injection

1 drug use, and such program is operating in accordance
2 with State and local law.

3 SEC. 521. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

7 (b) Nothing in subsection (a) shall limit the use of
8 funds necessary for any Federal, State, tribal, or local law
9 enforcement agency or any other entity carrying out crimi-
10 nal investigations, prosecution, or adjudication activities.

11 SEC. 522. None of the funds made available under
12 this or any other Act, or any prior Appropriations Act,
13 may be provided to the Association of Community Organi-
14 zations for Reform Now (ACORN), or any of its affiliates,
15 subsidiaries, allied organizations, or successors.

16 SEC. 523. For purposes of carrying out Executive
17 Order 13589, Office of Management and Budget Memo-
18 randum M-12-12 dated May 11, 2012, and requirements
19 contained in the annual appropriations bills relating to
20 conference attendance and expenditures:

21 (1) the operating divisions of HHS shall be con-
22 sidered independent agencies; and

23 (2) attendance at and support for scientific con-
24 ferences shall be tabulated separately from and not
25 included in agency totals.

1 SEC. 524. Federal agencies funded under this Act
2 shall clearly state within the text, audio, or video used for
3 advertising or educational purposes, including emails or
4 Internet postings, that the communication is printed, pub-
5 lished, or produced and disseminated at U.S. taxpayer ex-
6 pense. The funds used by a Federal agency to carry out
7 this requirement shall be derived from amounts made
8 available to the agency for advertising or other commu-
9 nications regarding the programs and activities of the
10 agency.

11 SEC. 525. (a) Federal agencies may use Federal dis-
12 cretionary funds that are made available in this Act to
13 carry out up to 10 Performance Partnership Pilots. Such
14 Pilots shall be governed by the provisions of section 526
15 of division H of Public Law 113–76, except that in car-
16 rying out such Pilots section 526 shall be applied by sub-
17 stituting “FISCAL YEAR 2018” for “FISCAL YEAR 2014”
18 in the title of subsection (b) and by substituting “Sep-
19 tember 30, 2022” for “September 30, 2018” each place
20 it appears: *Provided*, That such pilots shall include com-
21 munities that have experienced civil unrest.

22 (b) In addition, Federal agencies may use Federal
23 discretionary funds that are made available in this Act to
24 participate in Performance Partnership Pilots that are
25 being carried out pursuant to the authority provided by

1 section 526 of division H of Public Law 113–76, section
2 524 of division G of Public Law 113–235, and section 525
3 of division H of Public Law 114–113.

4 (c) Pilot sites selected under authorities in this Act
5 and prior appropriations Acts may be granted by relevant
6 agencies up to an additional 5 years to operate under such
7 authorities.

8 SEC. 526. Not later than 30 days after the end of
9 each calendar quarter, beginning with the first quarter of
10 fiscal year 2013, the Departments of Labor, Health and
11 Human Services and Education and the Social Security
12 Administration shall provide the Committees on Appro-
13 priations of the House of Representatives and Senate a
14 quarterly report on the status of balances of appropria-
15 tions: *Provided*, That for balances that are unobligated
16 and uncommitted, committed, and obligated but unex-
17 pended, the quarterly reports shall separately identify the
18 amounts attributable to each source year of appropriation
19 (beginning with fiscal year 2012, or, to the extent feasible,
20 earlier fiscal years) from which balances were derived.

21 SEC. 527. None of the funds made available in this
22 Act may be used to implement, administer, enforce, or fur-
23 ther any provision of Public Law 111–148 or title I or
24 subtitle B of title II of Public Law 111–152 and the
25 amendment made by such provision: *Provided*, That funds

1 in this Act may be used to implement, administer, enforce,
2 or further the rate setting process for calendar year 2018
3 and fiscal year 2019 for Medicare under title XVIII of
4 the Social Security Act: *Provided further*, That funds in
5 this Act may be used to implement, administer, enforce,
6 or further the final rules for the provisions of (and amend-
7 ments made by) sections 2501(c), 2501(d), and 2503 of
8 Public Law 111–148, as amended by sections 1206(a) and
9 1101(c) of Public Law 111–152, insofar as each respective
10 rule relates to calendar year 2018.

11 SEC. 528. None of the funds made available by this
12 Act may be used to conduct or support research using
13 human fetal tissue if such tissue is obtained pursuant to
14 an induced abortion.

15 SEC. 529 (a) IN GENERAL.—Notwithstanding any
16 other provision of law, none of the funds made available
17 by this Act may be made available either directly, through
18 a State (including through managed care contracts with
19 a State), or through any other means, to a prohibited enti-
20 ty.

21 (b) PROHIBITED ENTITY.—The term “prohibited
22 entity” means an entity, including its affiliates, subsidi-
23 aries, successors, and clinics—

24 (1) that, as of the date of enactment of this
25 Act—

1 (A) is an organization described in section
2 501(c)(3) of the Internal Revenue Code of 1986
3 and exempt from taxation under section 501(a)
4 of such Code;

5 (B) is an essential community provider de-
6 scribed in section 156.235 of title 45, Code of
7 Federal Regulations (as in effect on the date of
8 enactment of this Act), that is primarily en-
9 gaged in family planning services, reproductive
10 health, and related medical care; and

11 (C) performs, or provides any funds to any
12 other entity that performs abortions, other than
13 an abortion performed—

14 (i) in the case of a pregnancy that is
15 the result of an act of rape or incest; or

16 (ii) in the case where a woman suffers
17 from a physical disorder, physical injury,
18 or physical illness that would, as certified
19 by a physician, place the woman in danger
20 of death unless an abortion is performed,
21 including a life endangering physical condi-
22 tion caused by, or arising from, the preg-
23 nancy itself; and

24 (2) for which the total amount of Federal
25 grants to such entity, including grants to any affili-

ates, subsidiaries, or clinics of such entity, under
title X of the Public Health Service Act in fiscal
year 2016 exceeded \$23,000,000.

(c)(1) END OF PROHIBITION.—The definition in subsection (b) shall cease to apply to an entity if such entity certifies that it, including its affiliates, subsidiaries, successors, and clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b)(1)(C).

(2) REPAYMENT.—The Secretary of Health and Human Services shall seek repayment of any Federal assistance received by any entity that had made a certification described in paragraph (1) and subsequently violated the terms of such certification.

15 (RESCISSION)

16 SEC. 530. Of the unobligated balances in the “Non-
17 recurring expenses fund” established in section 223 of di-
18 vision G of Public Law 110–161 \$560,000,000 is re-
19 scinded.

20 (RESCISSION)

21 SEC. 531. Of the funds made available for fiscal year
22 2018 under section 3403 of Public Law 111-148,
23 \$15,000,000 are rescinded.

24 SEC. 532. Amounts deposited in the Child Enroll-
25 ment Contingency Fund prior to the beginning of fiscal

1 year 2018 under section 2104(n)(2) of the Social Security
2 Act and the income derived from investment of those
3 funds pursuant to section 2104(n)(2)(C) of that Act, shall
4 not be available for obligation in this fiscal year.

5 (RESCISSION)

6 SEC. 533. Of the unobligated balances of amounts ap-
7 propriated under section 1101(g) of Public Law 111–148
8 (42 U.S.C. 18001(g)), \$323,000,000 is rescinded.

9 (RESCISSION)

10 SEC. 534. Of the funds made available for purposes
11 of carrying out section 2105(a)(3) of the Social Security
12 Act, \$88,613,000 are hereby rescinded.

13 (RESCISSION)

14 SEC. 535. Of any available amounts appropriated
15 under section 301(b)(3) of Public Law 114–10,
16 \$3,945,905,000 are hereby rescinded.

17 SEC. 536. (a) This section may be cited as the “Con-
18 science Protection Act of 2017”.

19 (b) Congress finds as follows:

20 (1) Thomas Jefferson stated a conviction com-
21 mon to our Nation’s founders when he declared in
22 1809 that “[n]o provision in our Constitution ought
23 to be dearer to man than that which protects the
24 rights of conscience against the enterprises of the
25 civil authority”.

1 (2) In 1973, the Supreme Court concluded that
2 the government must leave the abortion decision “to
3 the medical judgment of the pregnant woman’s at-
4 tending physician”, recognizing that a physician may
5 choose not to participate in abortion. *Roe v. Wade*,
6 410 U.S. 113, 164 (1973). The Court cited with ap-
7 proval a policy that “neither physician, hospital, nor
8 hospital personnel shall be required to perform any
9 act violative of personally-held moral principles”,
10 410 U.S. at 143 n. 38, and cited State laws uphold-
11 ing this principle. *Doe v. Bolton*, 410 U.S. 179,
12 197–8 (1973).

13 (3) Congress’s enactments to protect this right
14 of conscience in health care include the Church
15 amendment of 1973 (42 U.S.C. 300a–7), the Coats/
16 Snowe amendment of 1996 (42 U.S.C. 238n), and
17 the Weldon amendment approved by Congresses and
18 Presidents of both parties every year since 2004.

19 (4) None of these laws explicitly provides a
20 “private right of action” so victims of discrimination
21 can defend their conscience rights in court, and ad-
22 ministrative enforcement by the Department of
23 Health and Human Services Office for Civil Rights
24 has been lax, at times allowing cases to languish for
25 years without resolution.

1 (5) Defying the Federal Weldon amendment,
2 California's Department of Managed Health Care
3 has mandated coverage for all elective abortions in
4 all health plans under its jurisdiction. Other States
5 such as New York and Washington have taken or
6 considered similar action, and some States may go
7 farther to require all physicians and hospitals to pro-
8 vide or facilitate abortions. On June 21, 2016, the
9 Obama Administration concluded a nearly two-year
10 investigation of this matter by determining that
11 California's decision to require insurance plans
12 under the California Department for Managed
13 Health Care authority to cover all legal abortion
14 services did not violate the Weldon amendment.
15 Until the new Administration is able to reverse this
16 finding, individuals will have to choose between ig-
17 noring their conscience or forgoing health care cov-
18 erage.

19 (6) The vast majority of medical professionals
20 do not perform abortions, with 86 percent of ob/gyns
21 unwilling to provide them in a recent study (Obstet-
22 rics & Gynecology, Sept. 2011) and the great major-
23 ity of hospitals choosing to do so in rare cases or not
24 at all.

1 (7) A health care provider's decision not to par-
2 ticipate in an abortion, like Congress's decision not
3 to fund most abortions, erects no new barrier to
4 those seeking to perform or undergo abortions but
5 leaves each party free to act as he or she wishes.

6 (8) Such protection poses no conflict with other
7 Federal laws, such as the law requiring emergency
8 stabilizing treatment for a pregnant woman and her
9 unborn child when either is in distress (Emergency
10 Medical Treatment and Active Labor Act). As the
11 previous Administration has said, these areas of law
12 have operated side by side for many years and both
13 should be fully enforced (76 Fed. Reg. 9968–77
14 (2011) at 9973).

15 (9) Reaffirming longstanding Federal policy on
16 conscience rights and providing a right of action in
17 cases where it is violated allows longstanding and
18 widely supported Federal laws to work as intended.

19 (c) Title II of the Public Health Service Act (42
20 U.S.C. 202 et seq.) is amended by inserting after section
21 245 the following:

1 **“SEC. 245A. PROHIBITING GOVERNMENTAL DISCRIMINA-**
2 **TION AGAINST PROVIDERS OF HEALTH SERV-**
3 **ICES THAT ARE NOT INVOLVED IN ABORTION.**

4 “(a) IN GENERAL.—Notwithstanding any other law,
5 the Federal Government, and any State or local govern-
6 ment that receives Federal financial assistance, may not
7 penalize, retaliate against, or otherwise discriminate
8 against a health care provider on the basis that the pro-
9 vider does not—

10 “(1) perform, refer for, pay for, or otherwise
11 participate in abortion;

12 “(2) provide or sponsor abortion coverage; or

13 “(3) facilitate or make arrangements for any of
14 the activities specified in this subsection.

15 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion shall be construed—

17 “(1) to prevent any health care provider from
18 voluntarily electing to participate in abortions or
19 abortion referrals;

20 “(2) to prevent any health care provider from
21 voluntarily electing to provide or sponsor abortion
22 coverage or health benefits coverage that includes
23 abortion;

24 “(3) to prevent an accrediting agency, the Fed-
25 eral Government, or a State or local government
26 from establishing standards of medical competency

1 applicable only to those who have knowingly, volun-
2 tarily, and specifically elected to perform abortions,
3 or from enforcing contractual obligations applicable
4 only to those who, as part of such contract, know-
5 ingly, voluntarily, and specifically elect to provide
6 abortions;

7 “(4) to affect, or be affected by, section 1867
8 of the Social Security Act (42 U.S.C. 1395dd, com-
9 monly referred to as the ‘Emergency Medical Treat-
10 ment and Active Labor Act’); or

11 “(5) to supersede any law enacted by any State
12 for the purpose of regulating insurance, except as
13 specified in subsection (a).

14 “(c) ADMINISTRATION.—The Secretary shall des-
15 ignate the Director of the Office for Civil Rights of the
16 Department of Health and Human Services—

17 “(1) to receive complaints alleging a violation of
18 this section, section 245 of this Act, or any of sub-
19 sections (b) through (e) of section 401 of the Health
20 Programs Extension Act of 1973; and

21 “(2) to pursue the investigation of such com-
22 plaints in coordination with the Attorney General.

23 “(d) DEFINITIONS.—For purposes of this section:

24 “(1) FEDERAL FINANCIAL ASSISTANCE.—The
25 term ‘Federal financial assistance’ means Federal

1 payments to cover the cost of health care services or
2 benefits, or other Federal payments, grants, or loans
3 to promote or otherwise facilitate health-related ac-
4 tivities.

5 “(2) HEALTH CARE PROVIDER.—The term
6 ‘health care provider’ means—

7 “(A) an individual physician, nurse, or
8 other health care professional;

9 “(B) a hospital, health system, or other
10 health care facility or organization (including a
11 party to a proposed merger or other collabo-
12 rative arrangement relating to health services,
13 and an entity resulting therefrom);

14 “(C) a provider-sponsored organization, an
15 accountable care organization, or a health
16 maintenance organization;

17 “(D) a social services provider that pro-
18 vides or authorizes referrals for health care
19 services;

20 “(E) a program of training in the health
21 professions or an applicant to or participant in
22 such a program;

23 “(F) an issuer of health insurance cov-
24 erage; or

1 “(G) a group health plan or student health
2 plan, or a sponsor or administrator thereof.

3 “(3) STATE OR LOCAL GOVERNMENT THAT RE-
4 CEIVES FEDERAL FINANCIAL ASSISTANCE.—The
5 term ‘State or local government that receives Fed-
6 eral financial assistance’ includes every agency and
7 other governmental unit and subdivision of a State
8 or local government, if such State or local govern-
9 ment, or any agency or governmental unit or sub-
10 division thereof, receives Federal financial assist-
11 ance.

12 **“SEC. 245B. CIVIL ACTION FOR CERTAIN VIOLATIONS.**

13 “(a) IN GENERAL.—A qualified party may, in a civil
14 action, obtain appropriate relief with regard to a des-
15 ignated violation.

16 “(b) DEFINITIONS.—For purposes of this section:

17 “(1) QUALIFIED PARTY.—The term ‘qualified
18 party’ means—

19 “(A) the Attorney General of the United
20 States; or

21 “(B) any person or entity adversely af-
22 fected by the designated violation.

23 “(2) DESIGNATED VIOLATION.—The term ‘des-
24 ignated violation’ means an actual or threatened vio-
25 lation of—

1 “(A) section 245 or 245A of this Act; or

2 “(B) any of subsections (b) through (e) of

3 section 401 of the Health Programs Extension

4 Act of 1973 regarding an objection to abortion.

5 “(c) ADMINISTRATIVE REMEDIES NOT REQUIRED.—

6 An action under this section may be commenced, and relief

7 may be granted, without regard to whether the party com-

8 mencing the action has sought or exhausted available ad-

9 ministrative remedies.

10 “(d) DEFENDANTS IN ACTIONS UNDER THIS SEC-

11 TION MAY INCLUDE GOVERNMENTAL ENTITIES AS WELL

12 AS OTHERS.—

13 “(1) IN GENERAL.—An action under this sec-

14 tion may be maintained against, among others, a

15 party that is a Federal or State governmental entity.

16 Relief in an action under this section may include

17 money damages even if the defendant is such a gov-

18 ernmental entity.

19 “(2) DEFINITION.—For the purposes of this

20 subsection, the term ‘State governmental entity’

21 means a State, a local government within a State,

22 and any agency or other governmental unit or sub-

23 division of a State or of such a local government.

24 “(e) NATURE OF RELIEF.—In an action under this

25 section, the court shall grant—

1 “(1) all necessary equitable and legal relief, in-
2 cluding, where appropriate, declaratory relief and
3 compensatory damages, to prevent the occurrence,
4 continuance, or repetition of the designated violation
5 and to compensate for losses resulting from the des-
6 ignated violation; and

7 “(2) to a prevailing plaintiff, reasonable attor-
8 neys’ fees and litigation expenses as part of the
9 costs.”.

10 SEC. 537. None of the funds made available by this
11 Act may be used to implement, administer, or enforce the
12 rule entitled “Establishing a Minimum Wage for Contrac-
13 tors” published by the Department of Labor in the Fed-
14 eral Register on October 7, 2014 (79 Fed. Reg. 60634),
15 with respect to Federal contracts, permits, or other con-
16 tract-like instruments entered into with the Federal Gov-
17 ernment in connection with Federal property or lands, spe-
18 cifically related to offering seasonal recreational services
19 or seasonal recreation equipment rental for the general
20 public: *Provided*, That this section shall not apply to lodg-
21 ing and food services associated with seasonal recreation
22 services.

23 REFERENCES TO ACT

24 SEC. 538. Except as expressly provided otherwise,
25 any reference to “this Act” contained in this division shall

1 be treated as referring only to the provisions of this divi-
2 sion.

3 REFERENCE TO REPORT

4 SEC. 539. Any reference to a “report accompanying
5 this Act” contained in this division shall be treated as a
6 reference to House Report 115–244. The effect of such
7 Report shall be limited to this division and shall apply for
8 purposes of determining the allocation of funds provided
9 by, and the implementation of, this division.

10 SPENDING REDUCTION ACCOUNT

11 SEC. 540. \$0.

12 This division may be cited as the “Departments of
13 Labor, Health and Human Services, and Education, and
14 Related Agencies Appropriations Act, 2018”.

15 **DIVISION G—DEPARTMENT OF STATE,**
16 **FOREIGN OPERATIONS, AND RELATED**
17 **PROGRAMS APPROPRIATIONS ACT,**
18 **2018**

19 The following sums are appropriated, out of any
20 money in the Treasury not otherwise appropriated, for the
21 Department of State, foreign operations, and related pro-
22 grams for the fiscal year ending September 30, 2018, and
23 for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF STATE AND RELATED
3 AGENCY
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS

7 For necessary expenses of the Department of State
8 and the Foreign Service not otherwise provided for,
9 \$5,449,289,000, of which up to \$610,000,000 may remain
10 available until September 30, 2019, and of which up to
11 \$1,380,752,000 may remain available until expended for
12 Worldwide Security Protection: *Provided*, That funds
13 made available under this heading shall be allocated in ac-
14 cordance with paragraphs (1) through (4) as follows:

15 (1) HUMAN RESOURCES.—For necessary ex-
16 penses for training, human resources management,
17 and salaries, including employment without regard
18 to civil service and classification laws of persons on
19 a temporary basis (not to exceed \$700,000), as au-
20 thorized by section 801 of the United States Infor-
21 mation and Educational Exchange Act of 1948,
22 \$2,522,390,000, of which up to \$476,879,000 is for
23 Worldwide Security Protection.

24 (2) OVERSEAS PROGRAMS.—For necessary ex-
25 penses for the regional bureaus of the Department

1 of State and overseas activities as authorized by law,
2 \$1,260,517,000.

3 (3) DIPLOMATIC POLICY AND SUPPORT.—For
4 necessary expenses for the functional bureaus of the
5 Department of State, including representation to
6 certain international organizations in which the
7 United States participates pursuant to treaties rati-
8 fied pursuant to the advice and consent of the Sen-
9 ate or specific Acts of Congress, general administra-
10 tion, and arms control, nonproliferation and disarm-
11 ament activities as authorized, \$740,052,000.

12 (4) SECURITY PROGRAMS.—For necessary ex-
13 penses for security activities, \$926,330,000, of which
14 up to \$903,873,000 is for Worldwide Security Pro-
15 tection.

16 (5) FEES AND PAYMENTS COLLECTED.—In ad-
17 dition to amounts otherwise made available under
18 this heading—

19 (A) as authorized by section 810 of the
20 United States Information and Educational Ex-
21 change Act, not to exceed \$5,000,000, to re-
22 main available until expended, may be credited
23 to this appropriation from fees or other pay-
24 ments received from English teaching, library,
25 motion pictures, and publication programs and

1 from fees from educational advising and coun-
2 seling and exchange visitor programs; and

3 (B) not to exceed \$15,000, which shall be
4 derived from reimbursements, surcharges, and
5 fees for use of Blair House facilities.

6 (6) TRANSFER, REPROGRAMMING, AND OTHER
7 MATTERS.—

8 (A) Notwithstanding any other provision of
9 this Act, funds may be reprogrammed within
10 and between paragraphs (1) through (4) under
11 this heading subject to section 7015 of this Act.

12 (B) Of the amount made available under
13 this heading, not to exceed \$10,000,000 may be
14 transferred to, and merged with, funds made
15 available by this Act under the heading “Emer-
16 gencies in the Diplomatic and Consular Serv-
17 ice”, to be available only for emergency evacu-
18 ations and rewards, as authorized.

19 (C) Funds appropriated under this heading
20 are available for acquisition by exchange or pur-
21 chase of passenger motor vehicles as authorized
22 by law and, pursuant to section 1108(g) of title
23 31, United States Code, for the field examina-
24 tion of programs and activities in the United

1 States funded from any account contained in
2 this title.

3 (D) Funds appropriated under this head-
4 ing may be made available for Conflict Sta-
5 bilization Operations and for related reconstruc-
6 tion and stabilization assistance to prevent or
7 respond to conflict or civil strife in foreign
8 countries or regions, or to enable transition
9 from such strife.

10 (E) Funds appropriated under this head-
11 ing in this Act that are designated for World-
12 wide Security Protection shall continue to be
13 made available for support of security-related
14 training at sites in existence prior to the enact-
15 ment of this Act.

16 CAPITAL INVESTMENT FUND

17 For necessary expenses of the Capital Investment
18 Fund, as authorized, \$15,000,000, to remain available
19 until expended.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General, \$73,869,000, notwithstanding section 209(a)(1)
23 of the Foreign Service Act of 1980 (Public Law 96-465),
24 as it relates to post inspections: *Provided*, That of the

1 funds appropriated under this heading, \$13,060,000 may
2 remain available until September 30, 2019.

3 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

4 For expenses of educational and cultural exchange
5 programs, as authorized, \$590,900,000, to remain avail-
6 able until expended, of which not less than \$236,000,000
7 shall be for the Fulbright Program and not less than
8 \$111,360,000 shall be for Citizen Exchange Program, in-
9 cluding \$4,125,000 for the Congress-Bundestag Youth
10 Exchange: *Provided*, That fees or other payments received
11 from, or in connection with, English teaching, educational
12 advising and counseling programs, and exchange visitor
13 programs as authorized may be credited to this account,
14 to remain available until expended: *Provided further*, That
15 any substantive modifications from the prior fiscal year
16 to programs funded by this Act under this heading shall
17 be subject to prior consultation with, and the regular noti-
18 fication procedures of, the Committees on Appropriations.

19 REPRESENTATION EXPENSES

20 For representation expenses as authorized,
21 \$7,000,000.

22 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

23 For expenses, not otherwise provided, to enable the
24 Secretary of State to provide for extraordinary protective

1 services, as authorized, \$30,890,000, to remain available
2 until September 30, 2019.

3 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

4 For necessary expenses for carrying out the Foreign
5 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
6 preserving, maintaining, repairing, and planning for build-
7 ings that are owned or directly leased by the Department
8 of State, renovating, in addition to funds otherwise avail-
9 able, the Harry S Truman Building, and carrying out the
10 Diplomatic Security Construction Program as authorized,
11 \$754,459,000, to remain available until expended, of
12 which not to exceed \$25,000 may be used for domestic
13 and overseas representation expenses as authorized: *Pro-*
14 *vided*, That none of the funds appropriated in this para-
15 graph shall be available for acquisition of furniture, fur-
16 nishings, or generators for other departments and agen-
17 cies of the United States Government.

18 In addition, for the costs of worldwide security up-
19 grades, acquisition, and construction as authorized,
20 \$1,488,237,000, to remain available until expended: *Pro-*
21 *vided*, That not later than 45 days after enactment of this
22 Act, the Secretary of State shall submit to the Committees
23 on Appropriations the proposed allocation of funds made
24 available under this heading and the actual and antici-
25 pated proceeds of sales for all projects in fiscal year 2018.

1 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
2 SERVICE

3 For necessary expenses to enable the Secretary of
4 State to meet unforeseen emergencies arising in the Diplo-
5 matic and Consular Service, as authorized, \$7,885,000, to
6 remain available until expended, of which not to exceed
7 \$1,000,000 may be transferred to, and merged with, funds
8 appropriated by this Act under the heading "Repatriation
9 Loans Program Account", subject to the same terms and
10 conditions.

11 REPATRIATION LOANS PROGRAM ACCOUNT

12 For the cost of direct loans, \$1,300,000, as author-
13 ized: *Provided*, That such costs, including the cost of
14 modifying such loans, shall be as defined in section 502
15 of the Congressional Budget Act of 1974: *Provided fur-*
16 *ther*, That such funds are available to subsidize gross obli-
17 gations for the principal amount of direct loans not to ex-
18 ceed \$2,440,856.

19 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

20 For necessary expenses to carry out the Taiwan Rela-
21 tions Act (Public Law 96-8), \$30,557,000.

22 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
23 COLUMBIA

24 Not to exceed \$1,806,600 shall be derived from fees
25 collected from other executive agencies for lease or use of

1 facilities at the International Center in accordance with
2 section 4 of the International Center Act (Public Law 90–
3 553), and, in addition, as authorized by section 5 of such
4 Act, \$743,000, to be derived from the reserve authorized
5 by such section, to be used for the purposes set out in
6 that section.

7 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
8 DISABILITY FUND

9 For payment to the Foreign Service Retirement and
10 Disability Fund, as authorized, \$158,900,000.

11 INTERNATIONAL ORGANIZATIONS

12 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

13 For necessary expenses, not otherwise provided for,
14 to meet annual obligations of membership in international
15 multilateral organizations, pursuant to treaties ratified
16 pursuant to the advice and consent of the Senate, conven-
17 tions or specific Acts of Congress, \$1,074,645,000: *Pro-*
18 *vided*, That the Secretary of State shall, at the time of
19 the submission of the President's budget to Congress
20 under section 1105(a) of title 31, United States Code,
21 transmit to the Committees on Appropriations the most
22 recent biennial budget prepared by the United Nations for
23 the operations of the United Nations: *Provided further*,
24 That the Secretary of State shall notify the Committees
25 on Appropriations at least 15 days in advance (or in an

1 emergency, as far in advance as is practicable) of any
2 United Nations action to increase funding for any United
3 Nations program without identifying an offsetting de-
4 crease elsewhere in the United Nations budget: *Provided*
5 *further*, That not later than June 1, 2018, and 30 days
6 after the end of fiscal year 2018, the Secretary of State
7 shall report to the Committees on Appropriations any
8 credits attributable to the United States, including from
9 the United Nations Tax Equalization Fund, and provide
10 updated fiscal year 2018 and fiscal year 2019 assessment
11 costs including offsets from available credits and updated
12 foreign currency exchange rates: *Provided further*, That
13 any such credits shall only be available for United States
14 assessed contributions to the United Nations regular
15 budget, and the Committees on Appropriations shall be
16 notified when such credits are applied to any assessed con-
17 tribution, including any payment of arrearages: *Provided*
18 *further*, That any notification regarding funds appro-
19 priated or otherwise made available under this heading in
20 this Act or prior Acts making appropriations for the De-
21 partment of State, foreign operations, and related pro-
22 grams submitted pursuant to section 7015 of this Act, sec-
23 tion 34 of the State Department Basic Authorities Act
24 of 1956 (22 U.S.C. 2706), or any operating plan sub-
25 mitted pursuant to section 7076 of this Act, shall include

1 an estimate of all known credits currently attributable to
2 the United States and provide updated assessment costs,
3 including offsets from available credits and updated for-
4 eign currency exchange rates: *Provided further*, That any
5 payment of arrearages under this heading shall be directed
6 to activities that are mutually agreed upon by the United
7 States and the respective international organization and
8 shall be subject to the regular notification procedures of
9 the Committees on Appropriations: *Provided further*, That
10 none of the funds appropriated under this heading shall
11 be available for a United States contribution to an inter-
12 national organization for the United States share of inter-
13 est costs made known to the United States Government
14 by such organization for loans incurred on or after Octo-
15 ber 1, 1984, through external borrowings.

16 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
17 ACTIVITIES

18 For necessary expenses to pay assessed and other ex-
19 penses of international peacekeeping activities directed to
20 the maintenance or restoration of international peace and
21 security, \$529,909,000, of which 15 percent shall remain
22 available until September 30, 2019: *Provided*, That none
23 of the funds made available by this Act shall be obligated
24 or expended for any new or expanded United Nations
25 peacekeeping mission unless, at least 15 days in advance

1 of voting for such mission in the United Nations Security
2 Council (or in an emergency as far in advance as is prac-
3 ticable), the Committees on Appropriations are notified of:
4 (1) the estimated cost and duration of the mission, the
5 objectives of the mission, the national interest that will
6 be served, and the exit strategy; and (2) the sources of
7 funds, including any reprogrammings or transfers, that
8 will be used to pay the cost of the new or expanded mis-
9 sion, and the estimated cost in future fiscal years: *Pro-*
10 *vided further*, That none of the funds appropriated under
11 this heading may be made available for obligation unless
12 the Secretary of State certifies and reports to the Commit-
13 tees on Appropriations on a peacekeeping mission-by-mis-
14 sion basis that the United Nations is implementing effec-
15 tive policies and procedures to prevent United Nations em-
16 ployees, contractor personnel, and peacekeeping troops
17 serving in such mission from trafficking in persons, ex-
18 ploiting victims of trafficking, or committing acts of sexual
19 exploitation and abuse or other violations of human rights,
20 and to bring to justice individuals who engage in such acts
21 while participating in such mission, including prosecution
22 in their home countries and making information about
23 such prosecutions publicly available on the Web site of the
24 United Nations: *Provided further*, That the Secretary of
25 State shall work with the United Nations and foreign gov-

1 ernments contributing peacekeeping troops to implement
2 effective vetting procedures to ensure that such troops
3 have not violated human rights: *Provided further*, That
4 funds shall be available for peacekeeping expenses unless
5 the Secretary of State determines that United States man-
6 ufacturers and suppliers are not being given opportunities
7 to provide equipment, services, and material for United
8 Nations peacekeeping activities equal to those being given
9 to foreign manufacturers and suppliers: *Provided further*,
10 That none of the funds appropriated or otherwise made
11 available under this heading may be used for any United
12 Nations peacekeeping mission that will involve United
13 States Armed Forces under the command or operational
14 control of a foreign national, unless the President's mili-
15 tary advisors have submitted to the President a rec-
16 ommendation that such involvement is in the national in-
17 terest of the United States and the President has sub-
18 mitted to Congress such a recommendation: *Provided fur-*
19 *ther*, That not later than June 1, 2018, and 30 days after
20 the end of fiscal year 2018, the Secretary of State shall
21 report to the Committees on Appropriations any credits
22 attributable to the United States, including those resulting
23 from United Nations peacekeeping missions or the United
24 Nations Tax Equalization Fund, and provide updated fis-
25 cal year 2018 and fiscal year 2019 assessment costs in-

cluding offsets from available credits: *Provided further*,
That any such credits shall only be available for United
States assessed contributions to United Nations peace-
keeping missions, and the Committees on Appropriations
shall be notified when such credits are applied to any as-
sessed contribution, including any payment of arrearages:
Provided further, That any notification regarding funds
appropriated or otherwise made available under this head-
ing in this Act or prior Acts making appropriations for
the Department of State, foreign operations, and related
programs submitted pursuant to section 7015 of this Act,
section 34 of the State Department Basic Authorities Act
of 1956 (22 U.S.C. 2706), or any operating plan sub-
mitted pursuant to section 7076 of this Act, shall include
an estimate of all known credits currently attributable to
the United States and provide updated assessment costs,
including offsets from available credits: *Provided further*,
That any payment of arrearages with funds appropriated
by this Act shall be subject to the regular notification pro-
cedures of the Committees on Appropriations: *Provided*
further, That the Secretary of State shall work with the
United Nations and members of the United Nations Secu-
rity Council to evaluate and prioritize peacekeeping mis-
sions, and to consider a draw down when mission goals
have been substantially achieved.

1 INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided for,
3 to meet obligations of the United States arising under
4 treaties, or specific Acts of Congress, as follows:

5 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
6 UNITED STATES AND MEXICO

7 For necessary expenses for the United States Section
8 of the International Boundary and Water Commission,
9 United States and Mexico, and to comply with laws appli-
10 cable to the United States Section, including not to exceed
11 \$6,000 for representation expenses; as follows:

12 SALARIES AND EXPENSES

13 For salaries and expenses, not otherwise provided for,
14 \$44,748,000.

15 CONSTRUCTION

16 For detailed plan preparation and construction of au-
17 thorized projects, \$27,900,000, to remain available until
18 expended, as authorized.

19 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

20 For necessary expenses, not otherwise provided, for
21 the International Joint Commission and the International
22 Boundary Commission, United States and Canada, as au-
23 thorized by treaties between the United States and Can-
24 ada or Great Britain, and the Border Environment Co-
25 operation Commission as authorized by the North Amer-

1 ican Free Trade Agreement Implementation Act (Public
2 Law 103–182), \$12,184,000: *Provided*, That of the
3 amount provided under this heading for the International
4 Joint Commission, up to \$500,000 may remain available
5 until September 30, 2019, and \$9,000 may be made avail-
6 able for representation expenses.

7 INTERNATIONAL FISHERIES COMMISSIONS

8 For necessary expenses for international fisheries
9 commissions, not otherwise provided for, as authorized by
10 law, \$34,176,000: *Provided*, That the United States share
11 of such expenses may be advanced to the respective com-
12 missions pursuant to section 3324 of title 31, United
13 States Code.

14 RELATED AGENCY

15 BROADCASTING BOARD OF GOVERNORS

16 INTERNATIONAL BROADCASTING OPERATIONS

17 For necessary expenses to enable the Broadcasting
18 Board of Governors (BBG), as authorized, to carry out
19 international communication activities, and to make and
20 supervise grants for radio, Internet, and television broad-
21 casting to the Middle East, \$764,936,000: *Provided*, That
22 in addition to amounts otherwise available for such pur-
23 poses, up to \$34,935,000 of the amount appropriated
24 under this heading may remain available until expended
25 for satellite transmissions and Internet freedom programs,

1 of which not less than \$13,800,000 shall be for Internet
2 freedom programs: *Provided further*, That of the total
3 amount appropriated under this heading, not to exceed
4 \$35,000 may be used for representation expenses, of
5 which \$10,000 may be used for such expenses within the
6 United States as authorized, and not to exceed \$30,000
7 may be used for representation expenses of Radio Free
8 Europe/Radio Liberty: *Provided further*, That the BBG
9 shall notify the Committees on Appropriations within 15
10 days of any determination by the BBG that any of its
11 broadcast entities, including its grantee organizations,
12 provides an open platform for international terrorists or
13 those who support international terrorism, or is in viola-
14 tion of the principles and standards set forth in sub-
15 sections (a) and (b) of section 303 of the United States
16 International Broadcasting Act of 1994 (22 U.S.C. 6202)
17 or the entity's journalistic code of ethics: *Provided further*,
18 That significant modifications to BBG broadcast hours
19 previously justified to Congress, including changes to
20 transmission platforms (shortwave, medium wave, sat-
21 ellite, Internet, and television), for all BBG language serv-
22 ices shall be subject to the regular notification procedures
23 of the Committees on Appropriations: *Provided further*,
24 That in addition to funds made available under this head-
25 ing, and notwithstanding any other provision of law, up

1 to \$5,000,000 in receipts from advertising and revenue
2 from business ventures, up to \$500,000 in receipts from
3 cooperating international organizations, and up to
4 \$1,000,000 in receipts from privatization efforts of the
5 Voice of America and the International Broadcasting Bu-
6 reau, shall remain available until expended for carrying
7 out authorized purposes.

8 BROADCASTING CAPITAL IMPROVEMENTS

9 For the purchase, rent, construction, repair, preser-
10 vation, and improvement of facilities for radio, television,
11 and digital transmission and reception; the purchase, rent,
12 and installation of necessary equipment for radio, tele-
13 vision, and digital transmission and reception, including
14 to Cuba, as authorized; and physical security worldwide,
15 in addition to amounts otherwise available for such pur-
16 poses, \$4,791,000, to remain available until expended, as
17 authorized.

18 RELATED PROGRAMS

19 THE ASIA FOUNDATION

20 For a grant to The Asia Foundation, as authorized
21 by The Asia Foundation Act (22 U.S.C. 4402),
22 \$15,810,000, to remain available until expended.

23 UNITED STATES INSTITUTE OF PEACE

24 For necessary expenses of the United States Institute
25 of Peace, as authorized by the United States Institute of

1 Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to re-
2 main available until September 30, 2019, which shall not
3 be used for construction activities.

4 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE
5 TRUST FUND

6 For necessary expenses of the Center for Middle
7 Eastern-Western Dialogue Trust Fund, as authorized by
8 section 633 of the Departments of Commerce, Justice, and
9 State, the Judiciary, and Related Agencies Appropriations
10 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
11 est and earnings accruing to such Fund on or before Sep-
12 tember 30, 2018, to remain available until expended.

13 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

14 For necessary expenses of Eisenhower Exchange Fel-
15 lowships, Incorporated, as authorized by sections 4 and
16 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
17 U.S.C. 5204–5205), all interest and earnings accruing to
18 the Eisenhower Exchange Fellowship Program Trust
19 Fund on or before September 30, 2018, to remain avail-
20 able until expended: *Provided*, That none of the funds ap-
21 propriated herein shall be used to pay any salary or other
22 compensation, or to enter into any contract providing for
23 the payment thereof, in excess of the rate authorized by
24 section 5376 of title 5, United States Code; or for pur-
25 poses which are not in accordance with section 200 of title

1 2 of the Code of Federal Regulations, including the re-
2 strictions on compensation for personal services.

3 ISRAELI ARAB SCHOLARSHIP PROGRAM

4 For necessary expenses of the Israeli Arab Scholar-
5 ship Program, as authorized by section 214 of the Foreign
6 Relations Authorization Act, Fiscal Years 1992 and 1993
7 (22 U.S.C. 2452), all interest and earnings accruing to
8 the Israeli Arab Scholarship Fund on or before September
9 30, 2018, to remain available until expended.

10 NATIONAL ENDOWMENT FOR DEMOCRACY

11 For grants made by the Department of State to the
12 National Endowment for Democracy, as authorized by the
13 National Endowment for Democracy Act (22 U.S.C.
14 4412), \$170,000,000, to remain available until expended,
15 of which \$117,500,000 shall be allocated in the traditional
16 and customary manner, including for the core institutes,
17 and \$52,500,000 shall be for democracy programs.

18 OTHER COMMISSIONS

19 COMMISSION FOR THE PRESERVATION OF AMERICA'S

20 HERITAGE ABROAD

21 SALARIES AND EXPENSES

22 For necessary expenses for the Commission for the
23 Preservation of America's Heritage Abroad, \$675,000, as
24 authorized by chapter 3123 of title 54, United States
25 Code: *Provided*, That the Commission may procure tem-

1 porary, intermittent, and other services notwithstanding
2 paragraph (3) of section 312304(b) of such chapter: *Pro-*
3 *vided further*, That such authority shall terminate on Oc-
4 tober 1, 2018: *Provided further*, That the Commission
5 shall notify the Committees on Appropriations prior to ex-
6 ercising such authority.

7 UNITED STATES COMMISSION ON INTERNATIONAL
8 RELIGIOUS FREEDOM
9 SALARIES AND EXPENSES

10 For necessary expenses for the United States Com-
11 mission on International Religious Freedom, as authorized
12 by title II of the International Religious Freedom Act of
13 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain
14 available until September 30, 2019, including not more
15 than \$4,000 for representation expenses.

16 COMMISSION ON SECURITY AND COOPERATION IN
17 EUROPE
18 SALARIES AND EXPENSES

19 For necessary expenses of the Commission on Secu-
20 rity and Cooperation in Europe, as authorized by Public
21 Law 94–304, \$2,579,000, including not more than \$4,000
22 for representation expenses, to remain available until Sep-
23 tember 30, 2019.

1 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
2 PEOPLE'S REPUBLIC OF CHINA
3 SALARIES AND EXPENSES

4 For necessary expenses of the Congressional-Execu-
5 tive Commission on the People's Republic of China, as au-
6 thorized by title III of the U.S.-China Relations Act of
7 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not
8 more than \$3,000 for representation expenses, to remain
9 available until September 30, 2019.

10 UNITED STATES-CHINA ECONOMIC AND SECURITY
11 REVIEW COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the United States-China
14 Economic and Security Review Commission, as authorized
15 by section 1238 of the Floyd D. Spence National Defense
16 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
17 \$3,500,000, including not more than \$4,000 for represen-
18 tation expenses, to remain available until September 30,
19 2019: *Provided*, That the authorities, requirements, limi-
20 tations, and conditions contained in the second through
21 sixth provisos under this heading in the Department of
22 State, Foreign Operations, and Related Programs Appro-
23 priations Act, 2010 (division F of Public Law 111-117)
24 shall continue in effect during fiscal year 2018 and shall

1 apply to funds appropriated under this heading as if in-
2 cluded in this Act.

3 TITLE II
4 UNITED STATES AGENCY FOR INTERNATIONAL
5 DEVELOPMENT

6 FUNDS APPROPRIATED TO THE PRESIDENT
7 OPERATING EXPENSES

8 For necessary expenses to carry out the provisions
9 of section 667 of the Foreign Assistance Act of 1961,
10 \$1,133,906,000, of which up to \$170,085,000 may remain
11 available until September 30, 2019: *Provided*, That none
12 of the funds appropriated under this heading and under
13 the heading “Capital Investment Fund” in this title may
14 be made available to finance the construction (including
15 architect and engineering services), purchase, or long-term
16 lease of offices for use by the United States Agency for
17 International Development, unless the USAID Adminis-
18 trator has identified such proposed use of funds in a re-
19 port submitted to the Committees on Appropriations at
20 least 15 days prior to the obligation of funds for such pur-
21 poses: *Provided further*, That contracts or agreements en-
22 tered into with funds appropriated under this heading may
23 entail commitments for the expenditure of such funds
24 through the following fiscal year: *Provided further*, That
25 the authority of sections 610 and 109 of the Foreign As-

1 sistance Act of 1961 may be exercised by the Secretary
2 of State to transfer funds appropriated to carry out chap-
3 ter 1 of part I of such Act to “Operating Expenses” in
4 accordance with the provisions of those sections: *Provided*
5 *further*, That of the funds appropriated or made available
6 under this heading, not to exceed \$250,000 may be avail-
7 able for representation and entertainment expenses, of
8 which not to exceed \$5,000 may be available for entertain-
9 ment expenses, and not to exceed \$100,500 shall be for
10 official residence expenses, for USAID during the current
11 fiscal year.

12 CAPITAL INVESTMENT FUND

13 For necessary expenses for overseas construction and
14 related costs, and for the procurement and enhancement
15 of information technology and related capital investments,
16 pursuant to section 667 of the Foreign Assistance Act of
17 1961, \$174,985,000, to remain available until expended:
18 *Provided*, That this amount is in addition to funds other-
19 wise available for such purposes: *Provided further*, That
20 funds appropriated under this heading shall be available
21 subject to the regular notification procedures of the Com-
22 mittees on Appropriations.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses to carry out the provisions
25 of section 667 of the Foreign Assistance Act of 1961,

1 \$69,000,000, of which up to \$10,350,000 may remain
2 available until September 30, 2019, for the Office of In-
3 spector General of the United States Agency for Inter-
4 national Development.

5 TITLE III

6 BILATERAL ECONOMIC ASSISTANCE

7 FUNDS APPROPRIATED TO THE PRESIDENT

8 For necessary expenses to enable the President to
9 carry out the provisions of the Foreign Assistance Act of
10 1961, and for other purposes, as follows:

11 GLOBAL HEALTH PROGRAMS

12 For necessary expenses to carry out the provisions
13 of chapters 1 and 10 of part I of the Foreign Assistance
14 Act of 1961, for global health activities, in addition to
15 funds otherwise available for such purposes,
16 \$2,651,000,000, to remain available until September 30,
17 2019, and which shall be apportioned directly to the
18 United States Agency for International Development: *Pro-*
19 *vided*, That this amount shall be made available for train-
20 ing, equipment, and technical assistance to build the ca-
21 pacity of public health institutions and organizations in
22 developing countries, and for such activities as: (1) child
23 survival and maternal health programs; (2) immunization
24 and oral rehydration programs; (3) other health, nutrition,
25 water and sanitation programs which directly address the

1 needs of mothers and children, and related education pro-
2 grams; (4) assistance for children displaced or orphaned
3 by causes other than AIDS; (5) programs for the preven-
4 tion, treatment, control of, and research on HIV/AIDS,
5 tuberculosis, polio, malaria, and other infectious diseases
6 including neglected tropical diseases, and for assistance to
7 communities severely affected by HIV/AIDS, including
8 children infected or affected by AIDS; (6) disaster pre-
9 paredness training for health crises; (7) programs to pre-
10 vent, prepare for, and respond to, unanticipated and
11 emerging global health threats; and (8) family planning/
12 reproductive health: *Provided further*, That funds appro-
13 priated under this paragraph may be made available for
14 a United States contribution to the GAVI Alliance and
15 the United Nations Children's Fund: *Provided further*,
16 That none of the funds made available in this Act nor
17 any unobligated balances from prior appropriations Acts
18 may be made available to any organization or program
19 which, as determined by the President of the United
20 States, supports or participates in the management of a
21 program of coercive abortion or involuntary sterilization:
22 *Provided further*, That any determination made under the
23 previous proviso must be made not later than 6 months
24 after the date of enactment of this Act, and must be ac-
25 companied by the evidence and criteria utilized to make

1 the determination: *Provided further*, That none of the
2 funds made available under this Act may be used to pay
3 for the performance of abortion as a method of family
4 planning or to motivate or coerce any person to practice
5 abortions: *Provided further*, That nothing in this para-
6 graph shall be construed to alter any existing statutory
7 prohibitions against abortion under section 104 of the
8 Foreign Assistance Act of 1961: *Provided further*, That
9 none of the funds made available under this Act may be
10 used to lobby for or against abortion: *Provided further*,
11 That in order to reduce reliance on abortion in developing
12 nations, funds shall be available only to voluntary family
13 planning projects which offer, either directly or through
14 referral to, or information about access to, a broad range
15 of family planning methods and services, and that any
16 such voluntary family planning project shall meet the fol-
17 lowing requirements: (1) service providers or referral
18 agents in the project shall not implement or be subject
19 to quotas, or other numerical targets, of total number of
20 births, number of family planning acceptors, or acceptors
21 of a particular method of family planning (this provision
22 shall not be construed to include the use of quantitative
23 estimates or indicators for budgeting and planning pur-
24 poses); (2) the project shall not include payment of incen-
25 tives, bribes, gratuities, or financial reward to: (A) an indi-

1 vidual in exchange for becoming a family planning accep-
2 tor; or (B) program personnel for achieving a numerical
3 target or quota of total number of births, number of fam-
4 ily planning acceptors, or acceptors of a particular method
5 of family planning; (3) the project shall not deny any right
6 or benefit, including the right of access to participate in
7 any program of general welfare or the right of access to
8 health care, as a consequence of any individual's decision
9 not to accept family planning services; (4) the project shall
10 provide family planning acceptors comprehensible infor-
11 mation on the health benefits and risks of the method cho-
12 sen, including those conditions that might render the use
13 of the method inadvisable and those adverse side effects
14 known to be consequent to the use of the method; and
15 (5) the project shall ensure that experimental contracep-
16 tive drugs and devices and medical procedures are pro-
17 vided only in the context of a scientific study in which
18 participants are advised of potential risks and benefits;
19 and, not less than 60 days after the date on which the
20 USAID Administrator determines that there has been a
21 violation of the requirements contained in paragraph (1),
22 (2), (3), or (5) of this proviso, or a pattern or practice
23 of violations of the requirements contained in paragraph
24 (4) of this proviso, the Administrator shall submit to the
25 Committees on Appropriations a report containing a de-

1 scription of such violation and the corrective action taken
2 by the Agency: *Provided further*, That in awarding grants
3 for natural family planning under section 104 of the For-
4 eign Assistance Act of 1961 no applicant shall be discrimi-
5 nated against because of such applicant's religious or con-
6 scientious commitment to offer only natural family plan-
7 ning; and, additionally, all such applicants shall comply
8 with the requirements of the previous proviso: *Provided*
9 *further*, That for purposes of this or any other Act author-
10 izing or appropriating funds for the Department of State,
11 foreign operations, and related programs, the term "moti-
12 vate", as it relates to family planning assistance, shall not
13 be construed to prohibit the provision, consistent with
14 local law, of information or counseling about all pregnancy
15 options: *Provided further*, That information provided
16 about the use of condoms as part of projects or activities
17 that are funded from amounts appropriated by this Act
18 shall be medically accurate and shall include the public
19 health benefits and failure rates of such use.

20 In addition, for necessary expenses to carry out the
21 provisions of the Foreign Assistance Act of 1961 for the
22 prevention, treatment, and control of, and research on,
23 HIV/AIDS, \$5,670,000,000, to remain available until
24 September 30, 2022, which shall be apportioned directly
25 to the Department of State: *Provided*, That funds appro-

1 priated under this paragraph may be made available, not-
2 withstanding any other provision of law, except for the
3 United States Leadership Against HIV/AIDS, Tuber-
4 culosis, and Malaria Act of 2003 (Public Law 108–25),
5 as amended, for a United States contribution to the Global
6 Fund to Fight AIDS, Tuberculosis and Malaria (Global
7 Fund), and shall be expended at the minimum rate nec-
8 essary to make timely payment for projects and activities:
9 *Provided further*, That up to 5 percent of the aggregate
10 amount of funds made available to the Global Fund in
11 fiscal year 2018 may be made available to USAID for
12 technical assistance related to the activities of the Global
13 Fund, subject to the regular notification procedures of the
14 Committees on Appropriations: *Provided further*, That of
15 the funds appropriated under this paragraph, up to
16 \$17,000,000 may be made available, in addition to
17 amounts otherwise available for such purposes, for admin-
18 istrative expenses of the Office of the United States Global
19 AIDS Coordinator.

20 DEVELOPMENT ASSISTANCE

21 For necessary expenses to carry out the provisions
22 of sections 103, 105, 106, 214, and sections 251 through
23 255, and chapter 10 of part I of the Foreign Assistance
24 Act of 1961, \$2,780,971,000, to remain available until
25 September 30, 2019.

1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of section 491 of the Foreign Assistance Act of 1961 for
4 international disaster relief, rehabilitation, and recon-
5 struction assistance, \$1,033,483,000, to remain available
6 until expended.

7 TRANSITION INITIATIVES

8 For necessary expenses for international disaster re-
9 habilitation and reconstruction assistance administered by
10 the Office of Transition Initiatives, United States Agency
11 for International Development, pursuant to section 491 of
12 the Foreign Assistance Act of 1961, \$30,000,000, to re-
13 main available until expended, to support transition to de-
14 mocracy and long-term development of countries in crisis:
15 *Provided*, That such support may include assistance to de-
16 velop, strengthen, or preserve democratic institutions and
17 processes, revitalize basic infrastructure, and foster the
18 peaceful resolution of conflict: *Provided further*, That the
19 USAID Administrator shall submit a report to the Com-
20 mittees on Appropriations at least 5 days prior to begin-
21 ning a new program of assistance: *Provided further*, That
22 if the Secretary of State determines that it is important
23 to the national interest of the United States to provide
24 transition assistance in excess of the amount appropriated
25 under this heading, up to \$15,000,000 of the funds appro-

1 priated by this Act to carry out the provisions of part I
2 of the Foreign Assistance Act of 1961 may be used for
3 purposes of this heading and under the authorities appli-
4 cable to funds appropriated under this heading: *Provided*
5 *further*, That funds made available pursuant to the pre-
6 vious proviso shall be made available subject to prior con-
7 sultation with the Committees on Appropriations.

8 DEVELOPMENT CREDIT AUTHORITY

9 For the cost of direct loans and loan guarantees pro-
10 vided by the United States Agency for International De-
11 velopment, as authorized by sections 256 and 635 of the
12 Foreign Assistance Act of 1961, up to \$50,000,000 may
13 be derived by transfer from funds appropriated by this Act
14 to carry out part I of such Act and under the heading
15 “Assistance for Europe, Eurasia and Central Asia”: *Pro-*
16 *vided*, That funds provided under this paragraph and
17 funds provided as a gift that are used for purposes of this
18 paragraph pursuant to section 635(d) of the Foreign As-
19 sistance Act of 1961 shall be made available only for
20 micro- and small enterprise programs, urban programs,
21 and other programs which further the purposes of part
22 I of such Act: *Provided further*, That funds provided as
23 a gift that are used for purposes of this paragraph shall
24 be subject to prior consultation with, and the regular noti-
25 fication procedures of, the Committees on Appropriations:

1 *Provided further*, That such costs, including the cost of
2 modifying such direct and guaranteed loans, shall be as
3 defined in section 502 of the Congressional Budget Act
4 of 1974, as amended: *Provided further*, That funds made
5 available by this paragraph may be used for the cost of
6 modifying any such guaranteed loans under this Act or
7 prior Acts making appropriations for the Department of
8 State, foreign operations, and related programs, and funds
9 used for such cost, including if the cost results in a nega-
10 tive subsidy, shall be subject to the regular notification
11 procedures of the Committees on Appropriations: *Provided*
12 *further*, That the provisions of section 107A(d) (relating
13 to general provisions applicable to the Development Credit
14 Authority) of the Foreign Assistance Act of 1961, as con-
15 tained in section 306 of H.R. 1486 as reported by the
16 House Committee on International Relations on May 9,
17 1997, shall be applicable to direct loans and loan guaran-
18 tees provided under this heading, except that the principal
19 amount of loans made or guaranteed under this heading
20 with respect to any single country shall not exceed
21 \$300,000,000: *Provided further*, That these funds are
22 available to subsidize total loan principal, any portion of
23 which is to be guaranteed, of up to \$1,750,000,000.

24 In addition, for administrative expenses to carry out
25 credit programs administered by USAID, \$9,120,000, of

1 which up to \$1,300,000 may remain available until Sep-
2 tember 30, 2019.

3 ECONOMIC SUPPORT FUND

4 For necessary expenses to carry out the provisions
5 of chapter 4 of part II of the Foreign Assistance Act of
6 1961, \$1,041,761,000, to remain available until Sep-
7 tember 30, 2019.

8 DEMOCRACY FUND

9 For necessary expenses to carry out the provisions
10 of the Foreign Assistance Act of 1961 for the promotion
11 of democracy globally, including to carry out the purposes
12 of section 502(b)(3) and (5) of Public Law 98–164 (22
13 U.S.C. 4411), \$145,375,000, to remain available until
14 September 30, 2019, which shall be made available for the
15 Human Rights and Democracy Fund of the Bureau of De-
16 mocracy, Human Rights, and Labor, Department of
17 State: *Provided*, That funds appropriated under this head-
18 ing that are made available to the National Endowment
19 for Democracy and its core institutes are in addition to
20 amounts otherwise available by this Act for such purposes:
21 *Provided further*, That the Assistant Secretary for Democ-
22 racy, Human Rights, and Labor, Department of State,
23 shall consult with the Committees on Appropriations prior
24 to the obligation of funds appropriated under this para-
25 graph.

1 For an additional amount for such purposes,
2 \$65,125,000, to remain available until September 30,
3 2019, which shall be made available for the Bureau for
4 Democracy, Conflict, and Humanitarian Assistance,
5 United States Agency for International Development.

6 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

7 For necessary expenses to carry out the provisions
8 of the Foreign Assistance Act of 1961, the FREEDOM
9 Support Act (Public Law 102–511), and the Support for
10 Eastern European Democracy (SEED) Act of 1989 (Pub-
11 lic Law 101–179), \$691,571,000, to remain available until
12 September 30, 2019, which shall be available, notwith-
13 standing any other provision of law, except section 7070
14 of this Act, for assistance and related programs for coun-
15 tries identified in section 3 of Public Law 102–511 and
16 section 3(c) of Public Law 101–179, in addition to funds
17 otherwise available for such purposes: *Provided*, That
18 funds appropriated by this Act under the headings “Global
19 Health Programs” and “Economic Support Fund” that
20 are made available for assistance for such countries shall
21 be administered in accordance with the responsibilities of
22 the coordinator designated pursuant to section 102 of
23 Public Law 102–511 and section 601 of Public Law 101–
24 179: *Provided further*, That funds appropriated under this
25 heading shall be considered to be economic assistance

1 under the Foreign Assistance Act of 1961 for purposes
2 of making available the administrative authorities con-
3 tained in that Act for the use of economic assistance.

4 DEPARTMENT OF STATE

5 MIGRATION AND REFUGEE ASSISTANCE

6 For necessary expenses not otherwise provided for,
7 to enable the Secretary of State to carry out the provisions
8 of section 2(a) and (b) of the Migration and Refugee As-
9 sistance Act of 1962, and other activities to meet refugee
10 and migration needs; salaries and expenses of personnel
11 and dependents as authorized by the Foreign Service Act
12 of 1980; allowances as authorized by sections 5921
13 through 5925 of title 5, United States Code; purchase and
14 hire of passenger motor vehicles; and services as author-
15 ized by section 3109 of title 5, United States Code,
16 \$877,802,000, to remain available until expended, of
17 which not less than \$35,000,000 shall be made available
18 to respond to small-scale emergency humanitarian require-
19 ments, and \$7,500,000 shall be made available for refu-
20 gees resettling in Israel.

21 INDEPENDENT AGENCIES

22 PEACE CORPS

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses to carry out the provisions
25 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including

1 the purchase of not to exceed five passenger motor vehicles
2 for administrative purposes for use outside of the United
3 States, \$398,221,000, of which \$5,500,000 is for the Of-
4 fice of Inspector General, to remain available until Sep-
5 tember 30, 2019: *Provided*, That the Director of the Peace
6 Corps may transfer to the Foreign Currency Fluctuations
7 Account, as authorized by section 16 of the Peace Corps
8 Act (22 U.S.C. 2515), an amount not to exceed
9 \$5,000,000: *Provided further*, That funds transferred pur-
10 suant to the previous proviso may not be derived from
11 amounts made available for Peace Corps overseas oper-
12 ations: *Provided further*, That of the funds appropriated
13 under this heading, not to exceed \$104,000 may be avail-
14 able for representation expenses, of which not to exceed
15 \$4,000 may be made available for entertainment expenses:
16 *Provided further*, That any decision to open, close, signifi-
17 cantly reduce, or suspend a domestic or overseas office or
18 country program shall be subject to prior consultation
19 with, and the regular notification procedures of, the Com-
20 mittees on Appropriations, except that prior consultation
21 and regular notification procedures may be waived when
22 there is a substantial security risk to volunteers or other
23 Peace Corps personnel, pursuant to section 7015(e) of this
24 Act: *Provided further*, That none of the funds appropriated
25 under this heading shall be used to pay for abortions: *Pro-*

1 *vided further*, That notwithstanding the previous proviso,
2 section 614 of division E of Public Law 113–76 shall
3 apply to funds appropriated under this heading.

4 MILLENNIUM CHALLENGE CORPORATION

5 For necessary expenses to carry out the provisions
6 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
7 et seq.) (MCA), \$697,600,000, to remain available until
8 expended: *Provided*, That up to 5 percent of the funds
9 appropriated under this heading may be made available
10 to carry out the purposes of section 616 of the MCA for
11 fiscal year 2018: *Provided further*, That section 605(e) of
12 the MCA shall apply to funds appropriated under this
13 heading: *Provided further*, That funds appropriated under
14 this heading may be made available for a Millennium Chal-
15 lenge Compact entered into pursuant to section 609 of the
16 MCA only if such Compact obligates, or contains a com-
17 mitment to obligate subject to the availability of funds and
18 the mutual agreement of the parties to the Compact to
19 proceed, the entire amount of the United States Govern-
20 ment funding anticipated for the duration of the Compact:
21 *Provided further*, That the Millennium Challenge Corpora-
22 tion (MCC) Chief Executive Officer shall notify the Com-
23 mittees on Appropriations not later than 15 days prior to
24 commencing negotiations for any country compact or
25 threshold country program; signing any such compact or

1 threshold program; or terminating or suspending any such
2 compact or threshold program: *Provided further*, That
3 funds appropriated under this heading by this Act and
4 prior Acts making appropriations for the Department of
5 State, foreign operations, and related programs that are
6 available to implement section 609(g) of the MCA shall
7 be subject to the regular notification procedures of the
8 Committees on Appropriations: *Provided further*, That no
9 country should be eligible for a threshold program after
10 such country has completed a country compact: *Provided*
11 *further*, That any funds that are deobligated from a Mil-
12 lennium Challenge Compact shall be subject to the regular
13 notification procedures of the Committees on Appropria-
14 tions prior to re-obligation: *Provided further*, That not-
15 withstanding section 606(a)(2) of the MCA, a country
16 shall be a candidate country for purposes of eligibility for
17 assistance for the fiscal year if the country has a per cap-
18 ita income equal to or below the World Bank's lower mid-
19 dle income country threshold for the fiscal year and is
20 among the 75 lowest per capita income countries as identi-
21 fied by the World Bank; and the country meets the re-
22 quirements of section 606(a)(1)(B) of the MCA: *Provided*
23 *further*, That notwithstanding section 606(b)(1) of the
24 MCA, in addition to countries described in the preceding
25 proviso, a country shall be a candidate country for pur-

1 poses of eligibility for assistance for the fiscal year if the
2 country has a per capita income equal to or below the
3 World Bank's lower middle income country threshold for
4 the fiscal year and is not among the 75 lowest per capita
5 income countries as identified by the World Bank; and the
6 country meets the requirements of section 606(a)(1)(B)
7 of the MCA: *Provided further*, That any MCC candidate
8 country under section 606 of the MCA with a per capita
9 income that changes in the fiscal year such that the coun-
10 try would be reclassified from a low income country to a
11 lower middle income country or from a lower middle in-
12 come country to a low income country shall retain its can-
13 didacy status in its former income classification for the
14 fiscal year and the 2 subsequent fiscal years: *Provided fur-*
15 *ther*, That publication in the Federal Register of a notice
16 of availability of a copy of a Compact on the MCC Web
17 site shall be deemed to satisfy the requirements of section
18 610(b)(2) of the MCA for such Compact: *Provided further*,
19 That none of the funds made available by this Act or prior
20 Acts making appropriations for the Department of State,
21 foreign operations, and related programs shall be available
22 for a threshold program in a country that is not currently
23 a candidate country.

24 In addition, for the administrative expenses of the
25 MCC, \$102,400,000, of which up to \$15,360,000 may re-

1 main available until September 30, 2019: *Provided*, That
2 of the funds appropriated under this paragraph, not to
3 exceed \$100,000 may be available for representation and
4 entertainment expenses, of which not to exceed \$5,000
5 may be available for entertainment expenses.

6 INTER-AMERICAN FOUNDATION

7 For necessary expenses to carry out the functions of
8 the Inter-American Foundation in accordance with the
9 provisions of section 401 of the Foreign Assistance Act
10 of 1969, \$11,250,000, to remain available until September
11 30, 2019: *Provided*, That of the funds appropriated under
12 this heading, not to exceed \$1,000 may be available for
13 representation expenses.

14 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

15 For necessary expenses to carry out title V of the
16 International Security and Development Cooperation Act
17 of 1980 (Public Law 96–533), \$15,000,000, to remain
18 available until September 30, 2019, of which not to exceed
19 \$1,000 may be available for representation expenses: *Pro-*
20 *vided*, That funds made available to grantees may be in-
21 vested pending expenditure for project purposes when au-
22 thorized by the Board of Directors of the United States
23 African Development Foundation (USADF): *Provided fur-*
24 *ther*, That interest earned shall be used only for the pur-
25 poses for which the grant was made: *Provided further*,

1 That notwithstanding section 505(a)(2) of the African De-
2 velopment Foundation Act (22 U.S.C. 290h-3(a)(2)), in
3 exceptional circumstances the Board of Directors of the
4 USADF may waive the \$250,000 limitation contained in
5 that section with respect to a project and a project may
6 exceed the limitation by up to 10 percent if the increase
7 is due solely to foreign currency fluctuation: *Provided fur-*
8 *ther*, That the USADF shall submit a report to the appro-
9 priate congressional committees after each time such waiv-
10 er authority is exercised: *Provided further*, That the
11 USADF may make rent or lease payments in advance
12 from appropriations available for such purpose for offices,
13 buildings, grounds, and quarters in Africa as may be nec-
14 essary to carry out its functions: *Provided further*, That
15 the USADF may maintain bank accounts outside the
16 United States Treasury and retain any interest earned on
17 such accounts, in furtherance of the purposes of the Afri-
18 can Development Foundation Act: *Provided further*, That
19 the USADF may not withdraw any appropriation from the
20 Treasury prior to the need of spending such funds for pro-
21 gram purposes.

22 DEPARTMENT OF THE TREASURY

23 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

24 For necessary expenses to carry out the provisions
25 of section 129 of the Foreign Assistance Act of 1961,

1 \$25,455,000, of which \$3,182,000 may remain available
2 until September 30, 2019.

3 TITLE IV
4 INTERNATIONAL SECURITY ASSISTANCE
5 DEPARTMENT OF STATE
6 INTERNATIONAL NARCOTICS CONTROL AND LAW
7 ENFORCEMENT

8 For necessary expenses to carry out section 481 of
9 the Foreign Assistance Act of 1961, \$848,139,000, to re-
10 main available until September 30, 2019: *Provided*, That
11 the Department of State may use the authority of section
12 608 of the Foreign Assistance Act of 1961, without regard
13 to its restrictions, to receive excess property from an agen-
14 cy of the United States Government for the purpose of
15 providing such property to a foreign country or inter-
16 national organization under chapter 8 of part I of such
17 Act, subject to the regular notification procedures of the
18 Committees on Appropriations: *Provided further*, That sec-
19 tion 482(b) of the Foreign Assistance Act of 1961 shall
20 not apply to funds appropriated under this heading, except
21 that any funds made available notwithstanding such sec-
22 tion shall be subject to the regular notification procedures
23 of the Committees on Appropriations: *Provided further*,
24 That funds appropriated under this heading shall be made
25 available to support training and technical assistance for

1 foreign law enforcement, corrections, and other judicial
2 authorities, utilizing regional partners: *Provided further*,
3 That funds made available under this heading that are
4 transferred to another department, agency, or instrumen-
5 tality of the United States Government pursuant to sec-
6 tion 632(b) of the Foreign Assistance Act of 1961 valued
7 in excess of \$5,000,000, and any agreement made pursu-
8 ant to section 632(a) of such Act, shall be subject to the
9 regular notification procedures of the Committees on Ap-
10 propriations.

11 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
12 RELATED PROGRAMS

13 For necessary expenses for nonproliferation, anti-ter-
14 rorism, demining and related programs and activities,
15 \$617,873,000, to remain available until September 30,
16 2019, to carry out the provisions of chapter 8 of part II
17 of the Foreign Assistance Act of 1961 for anti-terrorism
18 assistance, chapter 9 of part II of the Foreign Assistance
19 Act of 1961, section 504 of the FREEDOM Support Act,
20 section 23 of the Arms Export Control Act, or the Foreign
21 Assistance Act of 1961 for demining activities, the clear-
22 ance of unexploded ordnance, the destruction of small
23 arms, and related activities, notwithstanding any other
24 provision of law, including activities implemented through
25 nongovernmental and international organizations, and sec-

tion 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): *Provided*, That the Secretary of State shall inform the appropriate congressional committees of information regarding any separate arrangements relating to the “Road-map for the Clarification of Past and Present Outstanding Issues Regarding Iran’s Nuclear Program” between the IAEA and the Islamic Republic of Iran, in classified form if necessary, if such information becomes known to the Department of State: *Provided further*, That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be made available, notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under

1 this heading may be made available for the IAEA unless
2 the Secretary of State determines that Israel is being de-
3 nied its right to participate in the activities of that Agen-
4 cy: *Provided further*, That funds made available for con-
5 ventional weapons destruction programs, including
6 demining and related activities, in addition to funds other-
7 wise available for such purposes, may be used for adminis-
8 trative expenses related to the operation and management
9 of such programs and activities, subject to the regular no-
10 tification procedures of the Committees on Appropria-
11 tions.

12 PEACEKEEPING OPERATIONS

13 For necessary expenses to carry out the provisions
14 of section 551 of the Foreign Assistance Act of 1961,
15 \$135,041,000: *Provided*, That funds appropriated under
16 this heading may be used, notwithstanding section 660 of
17 such Act, to provide assistance to enhance the capacity
18 of foreign civilian security forces, including gendarmes, to
19 participate in peacekeeping operations: *Provided further*,
20 That of the funds appropriated under this heading, not
21 less than \$31,000,000 shall be made available for a United
22 States contribution to the Multinational Force and Ob-
23 servers mission in the Sinai: *Provided further*, That none
24 of the funds appropriated under this heading shall be obli-

1 gated except as provided through the regular notification
2 procedures of the Committees on Appropriations.

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 INTERNATIONAL MILITARY EDUCATION AND TRAINING

5 For necessary expenses to carry out the provisions
6 of section 541 of the Foreign Assistance Act of 1961,
7 \$105,160,000, of which up to \$11,000,000 may remain
8 available until September 30, 2019: *Provided*, That the
9 civilian personnel for whom military education and train-
10 ing may be provided under this heading may include civil-
11 ians who are not members of a government whose partici-
12 pation would contribute to improved civil-military rela-
13 tions, civilian control of the military, or respect for human
14 rights: *Provided further*, That of the funds appropriated
15 under this heading, not to exceed \$55,000 may be avail-
16 able for entertainment expenses.

17 FOREIGN MILITARY FINANCING PROGRAM

18 For necessary expenses for grants to enable the
19 President to carry out the provisions of section 23 of the
20 Arms Export Control Act, \$5,625,863,000: *Provided*,
21 That to expedite the provision of assistance to foreign
22 countries and international organizations, the Secretary of
23 State, following consultation with the Committees on Ap-
24 propriations and subject to the regular notification proce-
25 dures of such Committees, may use the funds appro-

1 priated under this heading to procure defense articles and
2 services to enhance the capacity of foreign security forces:
3 *Provided further*, That of the funds appropriated under
4 this heading, not less than \$3,100,000,000 shall be avail-
5 able for grants only for Israel: *Provided further*, That
6 funds appropriated under this heading for grants only for
7 Israel shall be disbursed within 30 days of enactment of
8 this Act: *Provided further*, That to the extent that the Gov-
9 ernment of Israel requests that funds be used for such
10 purposes, grants made available for Israel under this
11 heading shall, as agreed by the United States and Israel,
12 be available for advanced weapons systems, of which not
13 less than \$815,300,000 shall be available for the procure-
14 ment in Israel of defense articles and defense services, in-
15 cluding research and development: *Provided further*, That
16 none of the funds made available under this heading shall
17 be made available to support or continue any program ini-
18 tially funded under the authority of section 1206 of the
19 National Defense Authorization Act for Fiscal Year 2006
20 (Public Law 109–163; 119 Stat. 3456), section 2282 of
21 title 10, United States Code, section 333 of title 10,
22 United States Code, as added by section 1241 of the Na-
23 tional Defense Authorization Act for Fiscal Year 2017
24 (Public Law 114–328; 130 Stat. 2497), or any successor
25 authorities, unless the Secretary of State, in coordination

1 with the Secretary of Defense, has justified such program
2 to the Committees on Appropriations: *Provided further*,
3 That funds appropriated or otherwise made available
4 under this heading shall be nonrepayable notwithstanding
5 any requirement in section 23 of the Arms Export Control
6 Act: *Provided further*, That funds made available under
7 this heading shall be obligated upon apportionment in ac-
8 cordance with paragraph (5)(C) of section 1501(a) of title
9 31, United States Code.

10 None of the funds made available under this heading
11 shall be available to finance the procurement of defense
12 articles, defense services, or design and construction serv-
13 ices that are not sold by the United States Government
14 under the Arms Export Control Act unless the foreign
15 country proposing to make such procurement has first
16 signed an agreement with the United States Government
17 specifying the conditions under which such procurement
18 may be financed with such funds: *Provided*, That all coun-
19 try and funding level increases in allocations shall be sub-
20 mitted through the regular notification procedures of sec-
21 tion 7015 of this Act: *Provided further*, That funds made
22 available under this heading may be used, notwithstanding
23 any other provision of law, for demining, the clearance of
24 unexploded ordnance, and related activities, and may in-
25 clude activities implemented through nongovernmental

1 and international organizations: *Provided further*, That
2 only those countries for which assistance was justified for
3 the “Foreign Military Sales Financing Program” in the
4 fiscal year 1989 congressional presentation for security as-
5 sistance programs may utilize funds made available under
6 this heading for procurement of defense articles, defense
7 services, or design and construction services that are not
8 sold by the United States Government under the Arms
9 Export Control Act: *Provided further*, That funds appro-
10 priated under this heading shall be expended at the min-
11 imum rate necessary to make timely payment for defense
12 articles and services: *Provided further*, That not more than
13 \$80,000,000 of the funds appropriated under this heading
14 may be obligated for necessary expenses, including the
15 purchase of passenger motor vehicles for replacement only
16 for use outside of the United States, for the general costs
17 of administering military assistance and sales, except that
18 this limitation may be exceeded only through the regular
19 notification procedures of the Committees on Appropria-
20 tions: *Provided further*, That of the funds made available
21 under this heading for general costs of administering mili-
22 tary assistance and sales, not to exceed \$4,000 may be
23 available for entertainment expenses and not to exceed
24 \$130,000 may be available for representation expenses:
25 *Provided further*, That not more than \$950,000,000 of

1 funds realized pursuant to section 21(e)(1)(A) of the Arms
2 Export Control Act may be obligated for expenses incurred
3 by the Department of Defense during fiscal year 2018
4 pursuant to section 43(b) of the Arms Export Control Act,
5 except that this limitation may be exceeded only through
6 the regular notification procedures of the Committees on
7 Appropriations.

8 TITLE V

9 MULTILATERAL ASSISTANCE

10 INTERNATIONAL FINANCIAL INSTITUTIONS

11 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

12 ASSOCIATION

13 For payment to the International Development Asso-
14 ciation by the Secretary of the Treasury, \$658,661,000,
15 to remain available until September 30, 2019.

16 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

17 For payment to the Asian Development Bank's Asian
18 Development Fund by the Secretary of the Treasury,
19 \$47,395,000, to remain available until September 30,
20 2019.

21 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

22 For payment to the African Development Bank by
23 the Secretary of the Treasury for the United States share
24 of the paid-in portion of the increase in capital stock,

1 \$32,418,000, to remain available until September 30,
2 2019.

3 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4 The United States Governor of the African Develop-
5 ment Bank may subscribe without fiscal year limitation
6 to the callable capital portion of the United States share
7 of such capital stock in an amount not to exceed
8 \$507,860,808.

9 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

10 For payment to the African Development Fund by
11 the Secretary of the Treasury, \$109,387,000, to remain
12 available until September 30, 2019.

13 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
14 AGRICULTURAL DEVELOPMENT

15 For payment to the International Fund for Agricul-
16 tural Development by the Secretary of the Treasury,
17 \$30,000,000, to remain available until September 30,
18 2019.

19 TITLE VI

20 EXPORT AND INVESTMENT ASSISTANCE

21 EXPORT-IMPORT BANK OF THE UNITED STATES

22 INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, as amended, \$5,700,000, of which

1 up to \$855,000 may remain available until September 30,
2 2019.

3 PROGRAM ACCOUNT

4 The Export-Import Bank of the United States is au-
5 thorized to make such expenditures within the limits of
6 funds and borrowing authority available to such corpora-
7 tion, and in accordance with law, and to make such con-
8 tracts and commitments without regard to fiscal year limi-
9 tations, as provided by section 104 of the Government
10 Corporation Control Act, as may be necessary in carrying
11 out the program for the current fiscal year for such cor-
12 poration: *Provided*, That none of the funds available dur-
13 ing the current fiscal year may be used to make expendi-
14 tures, contracts, or commitments for the export of nuclear
15 equipment, fuel, or technology to any country, other than
16 a nuclear-weapon state as defined in Article IX of the
17 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
18 ble to receive economic or military assistance under this
19 Act, that has detonated a nuclear explosive after the date
20 of the enactment of this Act.

21 ADMINISTRATIVE EXPENSES

22 For administrative expenses to carry out the direct
23 and guaranteed loan and insurance programs, including
24 hire of passenger motor vehicles and services as authorized
25 by section 3109 of title 5, United States Code, and not

1 to exceed \$30,000 for official reception and representation
2 expenses for members of the Board of Directors, not to
3 exceed \$95,500,000, of which up to \$14,325,000 may re-
4 main available until September 30, 2019: *Provided*, That
5 the Export-Import Bank (the Bank) may accept, and use,
6 payment or services provided by transaction participants
7 for legal, financial, or technical services in connection with
8 any transaction for which an application for a loan, guar-
9 antee or insurance commitment has been made: *Provided*
10 *further*, That the Bank shall charge fees for necessary ex-
11 penses (including special services performed on a contract
12 or fee basis, but not including other personal services) in
13 connection with the collection of moneys owed the Bank,
14 repossession or sale of pledged collateral or other assets
15 acquired by the Bank in satisfaction of moneys owed the
16 Bank, or the investigation or appraisal of any property,
17 or the evaluation of the legal, financial, or technical as-
18 pects of any transaction for which an application for a
19 loan, guarantee or insurance commitment has been made,
20 or systems infrastructure directly supporting transactions:
21 *Provided further*, That in addition to other funds appro-
22 priated for administrative expenses, such fees shall be
23 credited to this account for such purposes, to remain avail-
24 able until expended.

1 RECEIPTS COLLECTED

2 Receipts collected pursuant to the Export-Import
3 Bank Act of 1945, as amended, and the Federal Credit
4 Reform Act of 1990, as amended, in an amount not to
5 exceed the amount appropriated herein, shall be credited
6 as offsetting collections to this account: *Provided*, That the
7 sums herein appropriated from the General Fund shall be
8 reduced on a dollar-for-dollar basis by such offsetting col-
9 lections so as to result in a final fiscal year appropriation
10 from the General Fund estimated at \$0.

11 OVERSEAS PRIVATE INVESTMENT CORPORATION

12 NONCREDIT ACCOUNT

13 The Overseas Private Investment Corporation is au-
14 thorized to make, without regard to fiscal year limitations,
15 as provided by section 9104 of title 31, United States
16 Code, such expenditures and commitments within the lim-
17 its of funds available to it and in accordance with law as
18 may be necessary: *Provided*, That the amount available for
19 administrative expenses to carry out the credit and insur-
20 ance programs (including an amount for official reception
21 and representation expenses which shall not exceed
22 \$35,000) shall not exceed \$60,800,000: *Provided further*,
23 That project-specific transaction costs, including direct
24 and indirect costs incurred in claims settlements, and
25 other direct costs associated with services provided to spe-

1 cific investors or potential investors pursuant to section
2 234 of the Foreign Assistance Act of 1961, shall not be
3 considered administrative expenses for the purposes of this
4 heading.

5 PROGRAM ACCOUNT

6 For the cost of direct and guaranteed loans as au-
7 thorized by section 234 of the Foreign Assistance Act of
8 1961, \$10,000,000, to be derived by transfer from the
9 Overseas Private Investment Corporation Noncredit Ac-
10 count, to remain available until September 30, 2020: *Pro-*
11 *vided*, That such costs, including the cost of modifying
12 such loans, shall be as defined in section 502 of the Con-
13 gressional Budget Act of 1974: *Provided further*, That
14 funds so obligated in fiscal year 2018 remain available for
15 disbursement through 2026; funds obligated in fiscal year
16 2019 remain available for disbursement through 2027;
17 and funds obligated in fiscal year 2020 remain available
18 for disbursement through 2028: *Provided further*, That
19 notwithstanding any other provision of law, the Overseas
20 Private Investment Corporation is authorized to undertake
21 any program authorized by title IV of chapter 2 of part
22 I of the Foreign Assistance Act of 1961 in Iraq: *Provided*
23 *further*, That funds made available pursuant to the au-
24 thority of the previous proviso shall be subject to the reg-

1 ular notification procedures of the Committees on Appro-
2 priations.

3 In addition, such sums as may be necessary for ad-
4 ministrative expenses to carry out the credit program may
5 be derived from amounts available for administrative ex-
6 penses to carry out the credit and insurance programs in
7 the Overseas Private Investment Corporation Noncredit
8 Account and merged with said account.

9 TRADE AND DEVELOPMENT AGENCY

10 For necessary expenses to carry out the provisions
11 of section 661 of the Foreign Assistance Act of 1961,
12 \$70,500,000, to remain available until September 30,
13 2019: *Provided*, That of the funds appropriated under this
14 heading, not more than \$5,000 may be available for rep-
15 resentation and entertainment expenses.

16 TITLE VII

17 GENERAL PROVISIONS

18 ALLOWANCES AND DIFFERENTIALS

19 SEC. 7001. Funds appropriated under title I of this
20 Act shall be available, except as otherwise provided, for
21 allowances and differentials as authorized by subchapter
22 59 of title 5, United States Code; for services as author-
23 ized by section 3109 of such title and for hire of passenger
24 transportation pursuant to section 1343(b) of title 31,
25 United States Code.

1 UNOBLIGATED BALANCES REPORT

2 SEC. 7002. Any department or agency of the United
3 States Government to which funds are appropriated or
4 otherwise made available by this Act shall provide to the
5 Committees on Appropriations a quarterly accounting of
6 cumulative unobligated balances and obligated, but unex-
7 pended, balances by program, project, and activity, and
8 Treasury Account Fund Symbol of all funds received by
9 such department or agency in fiscal year 2018 or any pre-
10 vious fiscal year, disaggregated by fiscal year: *Provided*,
11 That the report required by this section shall be submitted
12 not later than 30 days after the end of each fiscal quarter
13 and should specify by account the amount of funds obli-
14 gated pursuant to bilateral agreements which have not
15 been further sub-obligated.

16 CONSULTING SERVICES

17 SEC. 7003. The expenditure of any appropriation
18 under title I of this Act for any consulting service through
19 procurement contract, pursuant to section 3109 of title
20 5, United States Code, shall be limited to those contracts
21 where such expenditures are a matter of public record and
22 available for public inspection, except where otherwise pro-
23 vided under existing law, or under existing Executive
24 Order issued pursuant to existing law.

1 DIPLOMATIC FACILITIES

2 SEC. 7004. (a) CAPITAL SECURITY COST SHARING
3 INFORMATION.—The Secretary of State shall promptly in-
4 form the Committees on Appropriations of each instance
5 in which a Federal department or agency is delinquent in
6 providing the full amount of funding required by section
7 604(e) of the Secure Embassy Construction and
8 Counterterrorism Act of 1999 (22 U.S.C. 4865 note).

9 (b) EXCEPTION.—Notwithstanding paragraph (2) of
10 section 604(e) of the Secure Embassy Construction and
11 Counterterrorism Act of 1999 (as enacted into law by sec-
12 tion 1000(a)(7) of Public Law 106–113 and contained in
13 appendix G of that Act), as amended by section 111 of
14 the Department of State Authorities Act, Fiscal Year
15 2017 (Public Law 114–323), a project to construct a facil-
16 ity of the United States may include office space or other
17 accommodations for members of the United States Marine
18 Corps.

19 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
20 poses of calculating the fiscal year 2018 costs of providing
21 new United States diplomatic facilities in accordance with
22 section 604(e) of the Secure Embassy Construction and
23 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
24 Secretary of State, in consultation with the Director of
25 the Office of Management and Budget, shall determine the

1 annual program level and agency shares in a manner that
2 is proportional to the contribution of the Department of
3 State for this purpose.

4 (d) CONSULTATION AND NOTIFICATION REQUIRE-
5 MENTS.—Funds appropriated by this Act and prior Acts
6 making appropriations for the Department of State, for-
7 eign operations, and related programs, which may be made
8 available for the acquisition of property or award of con-
9 struction contracts for overseas United States diplomatic
10 facilities during fiscal year 2018, shall be subject to prior
11 consultation with, and the regular notification procedures
12 of, the Committees on Appropriations: *Provided*, That no-
13 tifications pursuant to this subsection shall include the in-
14 formation enumerated under the heading “Embassy Secu-
15 rity, Construction, and Maintenance” in the report accom-
16 panying this Act.

17 (e) INTERIM AND TEMPORARY FACILITIES
18 ABROAD.—

19 (1) Funds appropriated by this Act under the
20 heading “Embassy Security, Construction, and
21 Maintenance” shall be made available to address se-
22 curity vulnerabilities at interim and temporary
23 United States diplomatic facilities abroad, including
24 physical security upgrades and local guard staffing.

1 (2) Notwithstanding any other provision of law,
2 the opening, closure, or any significant modification
3 to an interim or temporary United States diplomatic
4 facility shall be subject to prior consultation with the
5 appropriate congressional committees and the reg-
6 ular notification procedures of the Committees on
7 Appropriations, except that such consultation and
8 notification may be waived if there is a security risk
9 to personnel.

10 (f) TRANSFER OF FUNDS AUTHORITY.—Funds ap-
11 propriated under the heading “Diplomatic and Consular
12 Programs”, including for Worldwide Security Protection,
13 and under the heading “Embassy Security, Construction,
14 and Maintenance” in titles I and VIII of this Act may
15 be transferred to, and merged with, funds appropriated
16 by such titles under such headings if the Secretary of
17 State determines and reports to the Committees on Appro-
18 priations that to do so is necessary to implement the rec-
19 ommendations of the Benghazi Accountability Review
20 Board, or to prevent or respond to security situations and
21 requirements, following consultation with, and subject to
22 the regular notification procedures of, such Committees:
23 *Provided*, That such transfer authority is in addition to
24 any transfer authority otherwise available under any other
25 provision of law.

1 (g) SOFT TARGETS.—Funds appropriated by this Act
2 under the heading “Embassy Security, Construction, and
3 Maintenance” shall be made available for security en-
4 hancements for soft targets in accordance with section 29
5 of the State Department Basic Authorities Act of 1956
6 (22 U.S.C. 2701).

7 (h) REPORTS.—

8 (1) None of the funds appropriated under the
9 heading “Embassy Security, Construction, and
10 Maintenance” in this Act and prior Acts making ap-
11 propriations for the Department of State, foreign
12 operations, and related programs, made available
13 through Federal agency Capital Security Cost Shar-
14 ing contributions and reimbursements, or generated
15 from the proceeds of real property sales, other than
16 from real property sales located in London, United
17 Kingdom, may be made available for site acquisition
18 and mitigation, planning, design, or construction of
19 the New London Embassy: *Provided*, That the re-
20 porting requirement contained in section 7004(f)(2)
21 of the Department of State, Foreign Operations, and
22 Related Programs Appropriations Act, 2012 (divi-
23 sion I of Public Law 112–74) shall remain in effect
24 during fiscal year 2018.

1 (2) Within 45 days of enactment of this Act
2 and every 4 months thereafter until September 30,
3 2019, the Secretary of State shall submit to the
4 Committees on Appropriations a report on the new
5 Mexico City Embassy and Beirut Embassy projects:
6 *Provided*, That such report shall include, for each of
7 the projects—

8 (A) a detailed breakout of the project fac-
9 tors that formed the basis of the initial cost es-
10 timate used to justify such project to the Com-
11 mittees on Appropriations, as described under
12 the heading “Embassy Security Construction
13 and Maintenance” in the report accompanying
14 this Act;

15 (B) a comparison of the current project
16 factors as compared to the project factors sub-
17 mitted pursuant to subparagraph (A) of this
18 subsection, and an explanation of any changes;
19 and

20 (C) the impact of currency exchange rate
21 fluctuations on project costs.

22 PERSONNEL ACTIONS

23 SEC. 7005. Any costs incurred by a department or
24 agency funded under title I of this Act resulting from per-
25 sonnel actions taken in response to funding reductions in-

1 cluded in this Act shall be absorbed within the total budg-
2 etary resources available under title I to such department
3 or agency: *Provided*, That the authority to transfer funds
4 between appropriations accounts as may be necessary to
5 carry out this section is provided in addition to authorities
6 included elsewhere in this Act: *Provided further*, That use
7 of funds to carry out this section shall be treated as a
8 reprogramming of funds under section 7015 of this Act.

9 DEPARTMENT OF STATE MANAGEMENT

10 SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVE-
11 MENT.—Funds appropriated by this Act for the operations
12 of the Department of State under the headings “Diplo-
13 matic and Consular Programs” and “Capital Investment
14 Fund” shall be made available to implement the rec-
15 ommendations contained in the Foreign Assistance Data
16 Review Findings Report (FADR) and the Office of Inspec-
17 tor General (OIG) report entitled “Department Financial
18 Systems Are Insufficient to Track and Report on Foreign
19 Assistance Funds”: *Provided*, That not later than 45 days
20 after enactment of this Act, the Secretary of State shall
21 submit to the Committees on Appropriations an update
22 to the plan required under section 7006 of the Department
23 of State, Foreign Operations, and Related Programs Ap-
24 propriations Act, 2017 (division J of Public Law 115–31)
25 for implementing the FADR and OIG recommendations:

1 *Provided further*, That such funds may not be obligated
2 for enhancements to, or expansions of, the Budget System
3 Modernization Financial System, Central Resource Man-
4 agement System, Joint Financial Management System, or
5 Foreign Assistance Coordination and Tracking System
6 until such updated plan is submitted to the Committees
7 on Appropriations: *Provided further*, That such funds may
8 not be obligated for new, or expansion of existing, ad hoc
9 electronic systems to track commitments, obligations or
10 expenditures of funds unless the Secretary of State, fol-
11 lowing consultation with the Chief Information Officer of
12 the Department of State, has reviewed and certified that
13 such new system or expansion is consistent with the
14 FADR and OIG recommendations.

15 (b) WORKING CAPITAL FUND.—Funds appropriated
16 by this Act or otherwise made available to the Department
17 of State for payments to the Working Capital Fund may
18 only be used for the service centers included in the Con-
19 gressional Budget Justification, Department of State,
20 Foreign Operations, and Related Programs, Fiscal Year
21 2018: *Provided*, That the amounts for such service centers
22 shall be the amounts included in such budget justification,
23 except as provided in section 7015(b) of this Act: *Provided*
24 *further*, That Federal agency components shall be charged
25 only for their direct usage of each Working Capital Fund

1 service: *Provided further*, That prior to increasing the per-
2 centage charged to Department of State bureaus and of-
3 fices for procurement-related activities, the Secretary of
4 State shall include the proposed increase in the Depart-
5 ment of State budget justification or, at least 60 days
6 prior to the increase, provide the Committees on Appro-
7 priations a justification for such increase, including a de-
8 tailed assessment of the cost and benefit of the services
9 provided by the procurement fee: *Provided further*, That
10 Federal agency components may only pay for Working
11 Capital Fund services that are consistent with the purpose
12 and authorities of such components: *Provided further*,
13 That the Working Capital Fund shall be paid in advance
14 or reimbursed at rates which will return the full cost of
15 each service.

16 (c) CERTIFICATION REQUIREMENT.—Prior to the ini-
17 tial obligation of funds appropriated under titles III and
18 IV of this Act that are made available to a Department
19 of State bureau or office with responsibility for the over-
20 sight or management of such funds, the Secretary of State
21 shall certify and report to the Committees on Appropria-
22 tions, on an individual bureau or office basis, that such
23 bureau or office is in compliance with Department and
24 Federal financial management policies, procedures and
25 regulations, as applicable: *Provided*, That if the Secretary

1 is unable to make such certification for an individual bu-
2 reau or office, the Secretary shall submit a plan and
3 timeline to such Committees detailing the steps to be
4 taken to ensure such compliance.

5 (d) REPORT ON SOLE SOURCE AWARDS.—Not later
6 than December 31, 2018, the Secretary of State shall sub-
7 mit a report to the appropriate congressional committees
8 detailing all sole-source awards made by the Department
9 of State during the previous fiscal year in excess of
10 \$2,000,000: *Provided*, That such report should be posted
11 on the Department of State Web site.

12 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
13 COUNTRIES

14 SEC. 7007. None of the funds appropriated or other-
15 wise made available pursuant to titles III through VI of
16 this Act shall be obligated or expended to finance directly
17 any assistance or reparations for the governments of
18 Cuba, North Korea, Iran, or Syria: *Provided*, That for
19 purposes of this section, the prohibition on obligations or
20 expenditures shall include direct loans, credits, insurance,
21 and guarantees of the Export-Import Bank or its agents.

22 COUPS D'ÉTAT

23 SEC. 7008. None of the funds appropriated or other-
24 wise made available pursuant to titles III through VI of
25 this Act shall be obligated or expended to finance directly

1 any assistance to the government of any country whose
2 duly elected head of government is deposed by military
3 coup d'état or decree or, after the date of enactment of
4 this Act, a coup d'état or decree in which the military
5 plays a decisive role: *Provided*, That assistance may be re-
6 sumed to such government if the Secretary of State cer-
7 tifies and reports to the appropriate congressional commit-
8 tees that subsequent to the termination of assistance a
9 democratically elected government has taken office: *Pro-*
10 *vided further*, That the provisions of this section shall not
11 apply to assistance to promote democratic elections or
12 public participation in democratic processes: *Provided fur-*
13 *ther*, That funds made available pursuant to the previous
14 provisos shall be subject to the regular notification proce-
15 dures of the Committees on Appropriations.

16 TRANSFER OF FUNDS AUTHORITY

17 SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-
18 CASTING BOARD OF GOVERNORS.—

19 (1) Not to exceed 5 percent of any appropria-
20 tion made available for the current fiscal year for
21 the Department of State under title I of this Act
22 may be transferred between, and merged with, such
23 appropriations, but no such appropriation, except as
24 otherwise specifically provided, shall be increased by
25 more than 10 percent by any such transfers, and no

1 such transfer may be made to increase the appro-
2 priation under the heading “Representation Ex-
3 penses”.

4 (2) Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for
6 the Broadcasting Board of Governors under title I
7 of this Act may be transferred between, and merged
8 with, such appropriations, but no such appropria-
9 tion, except as otherwise specifically provided, shall
10 be increased by more than 10 percent by any such
11 transfers.

12 (3) Any transfer pursuant to this subsection
13 shall be treated as a reprogramming of funds under
14 section 7015 of this Act and shall not be available
15 for obligation or expenditure except in compliance
16 with the procedures set forth in that section.

17 (b) TITLE VI AGENCIES.—Not to exceed 5 percent
18 of any appropriation other than for administrative ex-
19 penses made available for fiscal year 2018, for programs
20 under title VI of this Act may be transferred between such
21 appropriations for use for any of the purposes, programs,
22 and activities for which the funds in such receiving ac-
23 count may be used, but no such appropriation, except as
24 otherwise specifically provided, shall be increased by more
25 than 25 percent by any such transfer: *Provided*, That the

1 exercise of such authority shall be subject to the regular
2 notification procedures of the Committees on Appropria-
3 tions.

4 (c) LIMITATION ON TRANSFERS OF FUNDS BE-
5 TWEEN AGENCIES.—

6 (1) None of the funds made available under ti-
7 tles II through V of this Act may be transferred to
8 any department, agency, or instrumentality of the
9 United States Government, except pursuant to a
10 transfer made by, or transfer authority provided in,
11 this Act or any other appropriations Act.

12 (2) Notwithstanding paragraph (1), in addition
13 to transfers made by, or authorized elsewhere in,
14 this Act, funds appropriated by this Act to carry out
15 the purposes of the Foreign Assistance Act of 1961
16 may be allocated or transferred to agencies of the
17 United States Government pursuant to the provi-
18 sions of sections 109, 610, and 632 of the Foreign
19 Assistance Act of 1961.

20 (3) Any agreement entered into by the United
21 States Agency for International Development or the
22 Department of State with any department, agency,
23 or instrumentality of the United States Government
24 pursuant to section 632(b) of the Foreign Assistance
25 Act of 1961 valued in excess of \$1,000,000 and any

1 agreement made pursuant to section 632(a) of such
2 Act, with funds appropriated by this Act or prior
3 Acts making appropriations for the Department of
4 State, foreign operations, and related programs
5 under the headings “Global Health Programs”, “De-
6 velopment Assistance”, “Economic Support Fund”,
7 and “Assistance for Europe, Eurasia and Central
8 Asia” shall be subject to the regular notification pro-
9 cedures of the Committees on Appropriations: *Pro-*
10 *vided*, That the requirement in the previous sentence
11 shall not apply to agreements entered into between
12 USAID and the Department of State.

13 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—
14 None of the funds made available under titles II through
15 V of this Act may be obligated under an appropriations
16 account to which such funds were not appropriated, except
17 for transfers specifically provided for in this Act, unless
18 the President, not less than 5 days prior to the exercise
19 of any authority contained in the Foreign Assistance Act
20 of 1961 to transfer funds, consults with and provides a
21 written policy justification to the Committees on Appro-
22 priations.

23 (e) AUDIT OF INTER-AGENCY TRANSFERS OF
24 FUNDS.—Any agreement for the transfer or allocation of
25 funds appropriated by this Act or prior Acts making ap-

1 appropriations for the Department of State, foreign oper-
2 ations and related programs, entered into between the De-
3 partment of State or USAID and another agency of the
4 United States Government under the authority of section
5 632(a) of the Foreign Assistance Act of 1961 or any com-
6 parable provision of law, shall expressly provide that the
7 Inspector General (IG) for the agency receiving the trans-
8 fer or allocation of such funds, or other entity with audit
9 responsibility if the receiving agency does not have an IG,
10 shall perform periodic program and financial audits of the
11 use of such funds and report to the Department of State
12 or USAID, as appropriate, upon completion of such au-
13 dits: *Provided*, That such audits shall be transmitted to
14 the Committees on Appropriations by the Department of
15 State or USAID, as appropriate: *Provided further*, That
16 funds transferred under such authority may be made
17 available for the cost of such audits.

18 (f) REPORT.—Not later than 90 days after enactment
19 of this Act, the Secretary of State and the USAID Admin-
20 istrator shall each submit a report to the Committees on
21 Appropriations detailing all transfers to another agency
22 of the United States Government made pursuant to sec-
23 tions 632(a) and 632(b) of the Foreign Assistance Act of
24 1961 with funds provided in the Department of State,
25 Foreign Operations, and Related Programs Appropria-

1 tions Act, 2017 (division J of Public Law 115–31) as of
2 the date of enactment of this Act: *Provided*, That such
3 reports shall include a list of each transfer made pursuant
4 to such sections with the respective funding level, appro-
5 priation account, and the receiving agency.

6 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

7 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
8 funds made available by this Act may be used for first-
9 class travel by employees of United States Government de-
10 partments and agencies funded by this Act in contraven-
11 tion of section 301–10.122 through 301–10.124 of title
12 41, Code of Federal Regulations.

13 (b) COMPUTER NETWORKS.—None of the funds
14 made available by this Act for the operating expenses of
15 any United States Government department or agency may
16 be used to establish or maintain a computer network for
17 use by such department or agency unless such network
18 has filters designed to block access to sexually explicit Web
19 sites: *Provided*, That nothing in this subsection shall limit
20 the use of funds necessary for any Federal, State, tribal,
21 or local law enforcement agency, or any other entity car-
22 rying out the following activities: criminal investigations,
23 prosecutions, and adjudications; administrative discipline;
24 and the monitoring of such Web sites undertaken as part
25 of official business.

1 (c) PROHIBITION ON PROMOTION OF TOBACCO.—

2 None of the funds made available by this Act should be
3 available to promote the sale or export of tobacco or to-
4 bacco products, or to seek the reduction or removal by any
5 foreign country of restrictions on the marketing of tobacco
6 or tobacco products, except for restrictions which are not
7 applied equally to all tobacco or tobacco products of the
8 same type.

9 AVAILABILITY OF FUNDS

10 SEC. 7011. No part of any appropriation contained
11 in this Act shall remain available for obligation after the
12 expiration of the current fiscal year unless expressly so
13 provided by this Act: *Provided*, That funds appropriated
14 for the purposes of chapters 1 and 8 of part I, section
15 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
16 Assistance Act of 1961, section 23 of the Arms Export
17 Control Act, and funds provided under the headings “De-
18 velopment Credit Authority” and “Assistance for Europe,
19 Eurasia and Central Asia” shall remain available for an
20 additional 4 years from the date on which the availability
21 of such funds would otherwise have expired, if such funds
22 are initially obligated before the expiration of their respec-
23 tive periods of availability contained in this Act: *Provided*
24 *further*, That the availability of funds pursuant to the pre-
25 vious proviso shall not be applicable to such funds until

1 the Secretary of State submits the reports required under
2 section 7011 of the Department of State, Foreign Oper-
3 ations, and Related Programs Appropriations Act, 2016
4 (division K of Public Law 114–113) and under section
5 7011 of the Department of State, Foreign Operations, and
6 Related Programs Appropriations Act, 2017 (division J of
7 Public Law 115–31): *Provided further*, That the Secretary
8 of State shall provide a report to the Committees on Ap-
9 propriations not later than October 30, 2018, detailing by
10 account and source year, the use of this authority during
11 the previous fiscal year.

12 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

13 SEC. 7012. No part of any appropriation provided
14 under titles III through VI in this Act shall be used to
15 furnish assistance to the government of any country which
16 is in default during a period in excess of 1 calendar year
17 in payment to the United States of principal or interest
18 on any loan made to the government of such country by
19 the United States pursuant to a program for which funds
20 are appropriated under this Act unless the President de-
21 termines, following consultations with the Committees on
22 Appropriations, that assistance for such country is in the
23 national interest of the United States.

1 PROHIBITION ON TAXATION OF UNITED STATES

2 ASSISTANCE

3 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
4 of the funds appropriated under titles III through VI of
5 this Act may be made available to provide assistance for
6 a foreign country under a new bilateral agreement gov-
7 erning the terms and conditions under which such assist-
8 ance is to be provided unless such agreement includes a
9 provision stating that assistance provided by the United
10 States shall be exempt from taxation, or reimbursed, by
11 the foreign government, and the Secretary of State and
12 the Administrator of the United States Agency for Inter-
13 national Development shall expeditiously seek to negotiate
14 amendments to existing bilateral agreements, as nec-
15 essary, to conform with this requirement.

16 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
17 EIGN TAXES.—An amount equivalent to 200 percent of
18 the total taxes assessed during fiscal year 2018 on funds
19 appropriated by this Act and prior Acts making appropria-
20 tions for the Department of State, foreign operations, and
21 related programs by a foreign government or entity
22 against United States assistance programs, either directly
23 or through grantees, contractors, and subcontractors shall
24 be withheld from obligation from funds appropriated for
25 assistance for fiscal year 2019 and for prior fiscal years

1 and allocated for the central government of such country
2 or for the West Bank and Gaza program if, not later than
3 September 30, 2019, such taxes have not been reimbursed:
4 *Provided*, That the Secretary of State shall report to the
5 Committees on Appropriations by such date on the foreign
6 governments and entities that have not reimbursed such
7 taxes, including any amount of funds withheld pursuant
8 to this subsection.

9 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
10 minimis nature shall not be subject to the provisions of
11 subsection (b).

12 (d) REPROGRAMMING OF FUNDS.—Funds withheld
13 from obligation for each foreign government or entity pur-
14 suant to subsection (b) shall be reprogrammed for assist-
15 ance for countries which do not assess taxes on United
16 States assistance or which have an effective arrangement
17 that is providing substantial reimbursement of such taxes,
18 and that can reasonably accommodate such assistance in
19 a programmatically responsible manner.

20 (e) DETERMINATIONS.—

21 (1) The provisions of this section shall not
22 apply to any foreign government or entity that as-
23 sesses such taxes if the Secretary of State reports to
24 the Committees on Appropriations that—

1 (A) such foreign government or entity has
2 an effective arrangement that is providing sub-
3 stantial reimbursement of such taxes; or

4 (B) the foreign policy interests of the
5 United States outweigh the purpose of this sec-
6 tion to ensure that United States assistance is
7 not subject to taxation.

8 (2) The Secretary of State shall consult with
9 the Committees on Appropriations at least 15 days
10 prior to exercising the authority of this subsection
11 with regard to any foreign government or entity.

12 (f) IMPLEMENTATION.—The Secretary of State shall
13 issue rules, regulations, or policy guidance, as appropriate,
14 to implement the prohibition against the taxation of assist-
15 ance contained in this section.

16 (g) DEFINITIONS.—As used in this section—

17 (1) the term “bilateral agreement” refers to a
18 framework bilateral agreement between the Govern-
19 ment of the United States and the government of
20 the country receiving assistance that describes the
21 privileges and immunities applicable to United
22 States foreign assistance for such country generally,
23 or an individual agreement between the Government
24 of the United States and such government that de-
25 scribes, among other things, the treatment for tax

1 purposes that will be accorded the United States as-
2 sistance provided under that agreement; and

3 (2) the term “taxes and taxation” shall include
4 value added taxes and customs duties but shall not
5 include individual income taxes assessed to local
6 staff.

7 (h) REPORT.—The Secretary of State, in consultation
8 with the heads of other relevant departments or agencies
9 of the United States Government, shall submit an update
10 to the report required pursuant to section 7013(h) of the
11 Department of State, Foreign Operations, and Related
12 Programs Appropriations Act, 2017 (division J of Public
13 Law 115–31).

14 RESERVATIONS OF FUNDS

15 SEC. 7014. (a) REPROGRAMMING.—Funds appro-
16 priated under titles III through VI of this Act which are
17 specifically designated may be reprogrammed for other
18 programs within the same account notwithstanding the
19 designation if compliance with the designation is made im-
20 possible by operation of any provision of this or any other
21 Act: *Provided*, That any such reprogramming shall be sub-
22 ject to the regular notification procedures of the Commit-
23 tees on Appropriations: *Provided further*, That assistance
24 that is reprogrammed pursuant to this subsection shall be

1 made available under the same terms and conditions as
2 originally provided.

3 (b) EXTENSION OF AVAILABILITY.—In addition to
4 the authority contained in subsection (a), the original pe-
5 riod of availability of funds appropriated by this Act and
6 administered by the Department of State or the United
7 States Agency for International Development that are spe-
8 cifically designated for particular programs or activities by
9 this or any other Act may be extended for an additional
10 fiscal year if the Secretary of State or the USAID Admin-
11 istrator, as appropriate, determines and reports promptly
12 to the Committees on Appropriations that the termination
13 of assistance to a country or a significant change in cir-
14 cumstances makes it unlikely that such designated funds
15 can be obligated during the original period of availability:
16 *Provided*, That such designated funds that continue to be
17 available for an additional fiscal year shall be obligated
18 only for the purpose of such designation.

19 (c) OTHER ACTS.—Ceilings and specifically des-
20 ignated funding levels contained in this Act shall not be
21 applicable to funds or authorities appropriated or other-
22 wise made available by any subsequent Act unless such
23 Act specifically so directs: *Provided*, That specifically des-
24 ignated funding levels or minimum funding requirements

1 contained in any other Act shall not be applicable to funds
2 appropriated by this Act.

3 NOTIFICATION REQUIREMENTS

4 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
5 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
6 made available in titles I and II of this Act or prior Acts
7 making appropriations for the Department of State, for-
8 eign operations, and related programs to the departments
9 and agencies funded by this Act that remain available for
10 obligation in fiscal year 2018, or provided from any ac-
11 counts in the Treasury of the United States derived by
12 the collection of fees or of currency reflows or other offset-
13 ting collections, or made available by transfer, to the de-
14 partments and agencies funded by this Act, shall be avail-
15 able for obligation to—

- 16 (1) create new programs;
17 (2) eliminate a program, project, or activity;
18 (3) close, suspend, open, or reopen a mission or
19 post;
20 (4) create, close, reorganize, or rename bureaus,
21 centers, or offices; or
22 (5) contract out or privatize any functions or
23 activities presently performed by Federal employees;

1 unless previously justified to the Committees on Appro-
2 priations or such Committees are notified 15 days in ad-
3 vance of such obligation.

4 (b) NOTIFICATION OF REPROGRAMMING OF
5 FUNDS.—None of the funds provided under titles I and
6 II of this Act or prior Acts making appropriations for the
7 Department of State, foreign operations, and related pro-
8 grams, to the departments and agencies funded under ti-
9 tles I and II of this Act that remain available for obliga-
10 tion in fiscal year 2018, or provided from any accounts
11 in the Treasury of the United States derived by the collec-
12 tion of fees available to the department and agency funded
13 under title I of this Act, shall be available for obligation
14 or expenditure for activities, programs, or projects
15 through a reprogramming of funds in excess of
16 \$1,000,000 or 10 percent, whichever is less, that—

17 (1) augments or changes existing programs,
18 projects, or activities;

19 (2) relocates an existing office or employees;

20 (3) reduces by 10 percent funding for any exist-
21 ing program, project, or activity, or numbers of per-
22 sonnel by 10 percent as approved by Congress; or

23 (4) results from any general savings, including
24 savings from a reduction in personnel, which would

1 result in a change in existing programs, activities, or
2 projects as approved by Congress;
3 unless the Committees on Appropriations are notified 15
4 days in advance of such reprogramming of funds.

5 (c) NOTIFICATION REQUIREMENT.—None of the
6 funds made available by this Act under the headings
7 “Global Health Programs”, “Development Assistance”,
8 “Trade and Development Agency”, “International Nar-
9 cotics Control and Law Enforcement”, “Economic Sup-
10 port Fund”, “Democracy Fund”, “Assistance for Europe,
11 Eurasia and Central Asia”, “Peacekeeping Operations”,
12 “Nonproliferation, Anti-terrorism, Demining and Related
13 Programs”, “Millennium Challenge Corporation”, “For-
14 eign Military Financing Program”, “International Mili-
15 tary Education and Training”, and “Peace Corps”, shall
16 be available for obligation for activities, programs,
17 projects, type of materiel assistance, countries, or other
18 operations not justified or in excess of the amount justi-
19 fied to the Committees on Appropriations for obligation
20 under any of these specific headings unless the Commit-
21 tees on Appropriations are notified 15 days in advance of
22 such commitment: *Provided*, That the President shall not
23 enter into any commitment of funds appropriated for the
24 purposes of section 23 of the Arms Export Control Act
25 for the provision of major defense equipment, other than

1 conventional ammunition, or other major defense items
2 defined to be aircraft, ships, missiles, or combat vehicles,
3 not previously justified to Congress or 20 percent in excess
4 of the quantities justified to Congress unless the Commit-
5 tees on Appropriations are notified 15 days in advance of
6 such commitment: *Provided further*, That requirements of
7 this subsection or any similar provision of this or any
8 other Act shall not apply to any reprogramming for an
9 activity, program, or project for which funds are appro-
10 priated under titles III through VI of this Act of less than
11 10 percent of the amount previously justified to Congress
12 for obligation for such activity, program, or project for the
13 current fiscal year: *Provided further*, That any notification
14 submitted pursuant to subsection (f) of this section shall
15 include information (if known on the date of transmittal
16 of such notification) on the use of notwithstanding author-
17 ity: *Provided further*, That if subsequent to the notification
18 of assistance it becomes necessary to rely on notwith-
19 standing authority, the Committees on Appropriations
20 should be informed at the earliest opportunity and to the
21 extent practicable.

22 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-
23 withstanding any other provision of law, with the excep-
24 tion of funds transferred to, and merged with, funds ap-
25 propriated under title I of this Act, funds transferred by

1 the Department of Defense to the Department of State
2 and the United States Agency for International Develop-
3 ment for assistance for foreign countries and international
4 organizations, and funds made available for programs pre-
5 viously authorized under section 1206 of the National De-
6 fense Authorization Act for Fiscal Year 2006 (Public Law
7 109–163; 119 Stat. 3456), section 2282 of title 10, United
8 States Code, section 333 of title 10, United States Code,
9 as added by section 1241 of the National Defense Author-
10 ization Act for Fiscal Year 2017 (Public Law 114–328),
11 or any successor authorities, shall be subject to the regular
12 notification procedures of the Committees on Appropria-
13 tions.

14 (e) WAIVER.—The requirements of this section or
15 any similar provision of this Act or any other Act, includ-
16 ing any prior Act requiring notification in accordance with
17 the regular notification procedures of the Committees on
18 Appropriations, may be waived if failure to do so would
19 pose a substantial risk to human health or welfare: *Pro-*
20 *vided*, That in case of any such waiver, notification to the
21 Committees on Appropriations shall be provided as early
22 as practicable, but in no event later than 3 days after tak-
23 ing the action to which such notification requirement was
24 applicable, in the context of the circumstances necessi-
25 tating such waiver: *Provided further*, That any notification

1 provided pursuant to such a waiver shall contain an expla-
2 nation of the emergency circumstances.

3 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
4 of the funds appropriated under titles III through VI of
5 this Act may be obligated or expended for assistance for
6 Afghanistan, Bolivia, Burma, Cambodia, Colombia, Cuba,
7 Ecuador, El Salvador, Ethiopia, Guatemala, Haiti, Hon-
8 duras, Iran, Iraq, Lebanon, Libya, Pakistan, Philippines,
9 the Russian Federation, Somalia, South Sudan, Sri
10 Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and
11 Zimbabwe except as provided through the regular notifica-
12 tion procedures of the Committees on Appropriations.

13 (g) TRUST FUNDS.—Funds appropriated or other-
14 wise made available in title III of this Act and prior Acts
15 making funds available for the Department of State, for-
16 eign operations, and related programs that are made avail-
17 able for a trust fund held by an international financial
18 institution as defined by section 7034(o)(3) of this Act
19 shall be subject to the regular notification procedures of
20 the Committees on Appropriations: *Provided*, That such
21 notification shall include the information specified under
22 this section in the report accompanying this Act.

23 (h) WITHHOLDING OF FUNDS.—Funds appropriated
24 by this Act under titles III and IV that are withheld from
25 obligation or otherwise not programmed as a result of ap-

1 plication of a provision of law in this or any other Act
2 shall, if reprogrammed, be subject to the regular notifica-
3 tion procedures of the Committees on Appropriations.

4 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

5 SEC. 7016. Prior to providing excess Department of
6 Defense articles in accordance with section 516(a) of the
7 Foreign Assistance Act of 1961, the Department of De-
8 fense shall notify the Committees on Appropriations to the
9 same extent and under the same conditions as other com-
10 mittees pursuant to subsection (f) of that section: *Pro-*
11 *vided*, That before issuing a letter of offer to sell excess
12 defense articles under the Arms Export Control Act, the
13 Department of Defense shall notify the Committees on
14 Appropriations in accordance with the regular notification
15 procedures of such Committees if such defense articles are
16 significant military equipment (as defined in section 47(9)
17 of the Arms Export Control Act) or are valued (in terms
18 of original acquisition cost) at \$7,000,000 or more, or if
19 notification is required elsewhere in this Act for the use
20 of appropriated funds for specific countries that would re-
21 ceive such excess defense articles: *Provided further*, That
22 such Committees shall also be informed of the original ac-
23 quisition cost of such defense articles.

1 LIMITATION ON AVAILABILITY OF FUNDS FOR

2 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

3 SEC. 7017. Subject to the regular notification proce-
4 dures of the Committees on Appropriations, funds appro-
5 priated under titles I and III through V of this Act, which
6 are returned or not made available for organizations and
7 programs because of the implementation of section 307(a)
8 of the Foreign Assistance Act of 1961, shall remain avail-
9 able for obligation until September 30, 2019: *Provided*,
10 That the requirement to withhold funds for programs in
11 Burma under section 307(a) of the Foreign Assistance Act
12 of 1961 shall not apply to funds appropriated by this Act.

13 PROHIBITION ON FUNDING FOR ABORTIONS AND

14 INVOLUNTARY STERILIZATION

15 SEC. 7018. None of the funds made available to carry
16 out part I of the Foreign Assistance Act of 1961, as
17 amended, may be used to pay for the performance of abor-
18 tions as a method of family planning or to motivate or
19 coerce any person to practice abortions. None of the funds
20 made available to carry out part I of the Foreign Assist-
21 ance Act of 1961, as amended, may be used to pay for
22 the performance of involuntary sterilization as a method
23 of family planning or to coerce or provide any financial
24 incentive to any person to undergo sterilizations. None of
25 the funds made available to carry out part I of the Foreign

1 Assistance Act of 1961, as amended, may be used to pay
2 for any biomedical research which relates in whole or in
3 part, to methods of, or the performance of, abortions or
4 involuntary sterilization as a means of family planning.
5 None of the funds made available to carry out part I of
6 the Foreign Assistance Act of 1961, as amended, may be
7 obligated or expended for any country or organization if
8 the President certifies that the use of these funds by any
9 such country or organization would violate any of the
10 above provisions related to abortions and involuntary steri-
11 lizations.

12 ALLOCATIONS

13 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
14 subsection (b), funds appropriated by this Act under titles
15 III through V shall be made available in the amounts spe-
16 cifically designated in the respective tables included in the
17 report accompanying this Act: *Provided*, That such des-
18 ignated amounts for foreign countries and international
19 organizations shall serve as the amounts for such coun-
20 tries and international organizations transmitted to Con-
21 gress in the report required by section 653(a) of the For-
22 eign Assistance Act of 1961.

23 (b) AUTHORIZED DEVIATIONS.—Unless otherwise
24 provided for by this Act, the Secretary of State and the
25 Administrator of the United States Agency for Inter-

1 national Development, as applicable, may only deviate up
2 to 5 percent from the amounts specifically designated in
3 the respective tables included in the report accompanying
4 this Act: *Provided*, That such percentage may be exceeded
5 only to respond to significant, exigent, or unforeseen
6 events, or to address other exceptional circumstances di-
7 rectly related to the national interest: *Provided further*,
8 That deviations pursuant to the previous proviso shall be
9 subject to prior consultation with, and the regular notifica-
10 tion procedures of, the Committees on Appropriations.

11 (c) LIMITATION.—For specifically designated
12 amounts that are included, pursuant to subsection (a), in
13 the report required by section 653(a) of the Foreign As-
14 sistance Act of 1961, no deviations authorized by sub-
15 section (b) may take place until submission of such report.

16 (d) EXCEPTIONS.—Subsections (a) and (b) shall not
17 apply to—

18 (1) amounts designated for “International Mili-
19 tary Education and Training” in the respective ta-
20 bles included in the report accompanying this Act;
21 and

22 (2) funds for which the initial period of avail-
23 ability has expired.

1 REPRESENTATION AND ENTERTAINMENT EXPENSES

2 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-
3 partment, agency, or entity funded in titles I or II of this
4 Act, and the Department of the Treasury and independent
5 agencies funded in titles III or VI of this Act, shall take
6 steps to ensure that domestic and overseas representation
7 and entertainment expenses further official agency busi-
8 ness and United States foreign policy interests—

9 (1) are primarily for fostering relations outside
10 of the Executive Branch;

11 (2) are principally for meals and events of a
12 protocol nature;

13 (3) are not for employee-only events; and

14 (4) do not include activities that are substan-
15 tially of a recreational character.

16 (b) LIMITATIONS.—None of the funds appropriated
17 or otherwise made available by this Act under the head-
18 ings “International Military Education and Training” or
19 “Foreign Military Financing Program” for Informational
20 Program activities or under the headings “Global Health
21 Programs”, “Development Assistance”, “Economic Sup-
22 port Fund”, and “Assistance for Europe, Eurasia and
23 Central Asia” may be obligated or expended to pay for—

24 (1) alcoholic beverages; or

1 (2) entertainment expenses for activities that
2 are substantially of a recreational character, includ-
3 ing but not limited to entrance fees at sporting
4 events, theatrical and musical productions, and
5 amusement parks.

6 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

7 SUPPORTING INTERNATIONAL TERRORISM

8 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
9 PORTS.—

10 (1) PROHIBITION.—None of the funds appro-
11 priated or otherwise made available by titles III
12 through VI of this Act may be made available to any
13 foreign government which provides lethal military
14 equipment to a country the government of which the
15 Secretary of State has determined supports inter-
16 national terrorism for purposes of section 6(j) of the
17 Export Administration Act of 1979 as continued in
18 effect pursuant to the International Emergency Eco-
19 nomic Powers Act: *Provided*, That the prohibition
20 under this section with respect to a foreign govern-
21 ment shall terminate 12 months after that govern-
22 ment ceases to provide such military equipment:
23 *Provided further*, That this section applies with re-
24 spect to lethal military equipment provided under a
25 contract entered into after October 1, 1997.

1 (2) DETERMINATION.—Assistance restricted by
2 paragraph (1) or any other similar provision of law,
3 may be furnished if the President determines that to
4 do so is important to the national interest of the
5 United States.

6 (3) REPORT.—Whenever the President makes a
7 determination pursuant to paragraph (2), the Presi-
8 dent shall submit to the Committees on Appropria-
9 tions a report with respect to the furnishing of such
10 assistance, including a detailed explanation of the
11 assistance to be provided, the estimated dollar
12 amount of such assistance, and an explanation of
13 how the assistance furthers United States national
14 interest.

15 (b) BILATERAL ASSISTANCE.—

16 (1) LIMITATIONS.—Funds appropriated for bi-
17 lateral assistance in titles III through VI of this Act
18 and funds appropriated under any such title in prior
19 Acts making appropriations for the Department of
20 State, foreign operations, and related programs,
21 shall not be made available to any foreign govern-
22 ment which the President determines—

23 (A) grants sanctuary from prosecution to
24 any individual or group which has committed
25 an act of international terrorism;

1 (B) otherwise supports international ter-
2 rorism; or

3 (C) is controlled by an organization des-
4 igned as a terrorist organization under sec-
5 tion 219 of the Immigration and Nationality
6 Act (8 U.S.C. 1189).

7 (2) WAIVER.—The President may waive the ap-
8 plication of paragraph (1) to a government if the
9 President determines that national security or hu-
10 manitarian reasons justify such waiver: *Provided*,
11 That the President shall publish each such waiver in
12 the Federal Register and, at least 15 days before the
13 waiver takes effect, shall notify the Committees on
14 Appropriations of the waiver (including the justifica-
15 tion for the waiver) in accordance with the regular
16 notification procedures of the Committees on Appro-
17 priations.

18 AUTHORIZATION REQUIREMENTS

19 SEC. 7022. Funds appropriated by this Act, except
20 funds appropriated under the heading “Trade and Devel-
21 opment Agency”, may be obligated and expended notwith-
22 standing section 10 of Public Law 91–672 (22 U.S.C.
23 2412), section 15 of the State Department Basic Authori-
24 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
25 eign Relations Authorization Act, Fiscal Years 1994 and

1 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
2 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

3 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

4 SEC. 7023. For the purpose of titles II through VI
5 of this Act “program, project, and activity” shall be de-
6 fined at the appropriations Act account level and shall in-
7 clude all appropriations and authorizations Acts funding
8 directives, ceilings, and limitations with the exception that
9 for the following accounts: “Economic Support Fund”,
10 “Assistance for Europe, Eurasia and Central Asia”, and
11 “Foreign Military Financing Program”, “program,
12 project, and activity” shall also be considered to include
13 country, regional, and central program level funding with-
14 in each such account; and for the development assistance
15 accounts of the United States Agency for International
16 Development, “program, project, and activity” shall also
17 be considered to include central, country, regional, and
18 program level funding, either as—

19 (1) justified to Congress; or

20 (2) allocated by the Executive Branch in ac-
21 cordance with a report, to be provided to the Com-
22 mittees on Appropriations within 30 days of the en-
23 actment of this Act, as required by section 653(a)
24 of the Foreign Assistance Act of 1961 or as modi-
25 fied pursuant to section 7019 of this Act.

1 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
2 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
3 OPMENT FOUNDATION

4 SEC. 7024. Unless expressly provided to the contrary,
5 provisions of this or any other Act, including provisions
6 contained in prior Acts authorizing or making appropria-
7 tions for the Department of State, foreign operations, and
8 related programs, shall not be construed to prohibit activi-
9 ties authorized by or conducted under the Peace Corps
10 Act, the Inter-American Foundation Act or the African
11 Development Foundation Act: *Provided*, That prior to con-
12 ducting activities in a country for which assistance is pro-
13 hibited, the agency shall consult with the Committees on
14 Appropriations and report to such Committees within 15
15 days of taking such action.

16 COMMERCE, TRADE AND SURPLUS COMMODITIES

17 SEC. 7025. (a) WORLD MARKETS.—None of the
18 funds appropriated or made available pursuant to titles
19 III through VI of this Act for direct assistance and none
20 of the funds otherwise made available to the Export-Im-
21 port Bank and the Overseas Private Investment Corpora-
22 tion shall be obligated or expended to finance any loan,
23 any assistance, or any other financial commitments for es-
24 tablishing or expanding production of any commodity for
25 export by any country other than the United States, if

1 the commodity is likely to be in surplus on world markets
2 at the time the resulting productive capacity is expected
3 to become operative and if the assistance will cause sub-
4 stantial injury to United States producers of the same,
5 similar, or competing commodity: *Provided*, That such
6 prohibition shall not apply to the Export-Import Bank if
7 in the judgment of its Board of Directors the benefits to
8 industry and employment in the United States are likely
9 to outweigh the injury to United States producers of the
10 same, similar, or competing commodity, and the Chairman
11 of the Board so notifies the Committees on Appropria-
12 tions: *Provided further*, That this subsection shall not pro-
13 hibit—

14 (1) activities in a country that is eligible for as-
15 sistance from the International Development Asso-
16 ciation, is not eligible for assistance from the Inter-
17 national Bank for Reconstruction and Development,
18 and does not export on a consistent basis the agri-
19 cultural commodity with respect to which assistance
20 is furnished; or

21 (2) activities in a country the President deter-
22 mines is recovering from widespread conflict, a hu-
23 manitarian crisis, or a complex emergency.

24 (b) EXPORTS.—None of the funds appropriated by
25 this or any other Act to carry out chapter 1 of part I

1 of the Foreign Assistance Act of 1961 shall be available
2 for any testing or breeding feasibility study, variety im-
3 provement or introduction, consultancy, publication, con-
4 ference, or training in connection with the growth or pro-
5 duction in a foreign country of an agricultural commodity
6 for export which would compete with a similar commodity
7 grown or produced in the United States: *Provided*, That
8 this subsection shall not prohibit—

9 (1) activities designed to increase food security
10 in developing countries where such activities will not
11 have a significant impact on the export of agricul-
12 tural commodities of the United States;

13 (2) research activities intended primarily to
14 benefit United States producers;

15 (3) activities in a country that is eligible for as-
16 sistance from the International Development Asso-
17 ciation, is not eligible for assistance from the Inter-
18 national Bank for Reconstruction and Development,
19 and does not export on a consistent basis the agri-
20 cultural commodity with respect to which assistance
21 is furnished; or

22 (4) activities in a country the President deter-
23 mines is recovering from widespread conflict, a hu-
24 manitarian crisis, or a complex emergency.

1 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—

2 The Secretary of the Treasury shall instruct the United
3 States executive directors of the international financial in-
4 stitutions, as defined in section 7034(o)(3) of this Act, to
5 use the voice and vote of the United States to oppose any
6 assistance by such institutions, using funds appropriated
7 or made available by this Act, for the production or extrac-
8 tion of any commodity or mineral for export, if it is in
9 surplus on world markets and if the assistance will cause
10 substantial injury to United States producers of the same,
11 similar, or competing commodity.

12 SEPARATE ACCOUNTS

13 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
14 CURRENCIES.—

15 (1) AGREEMENTS.—If assistance is furnished to
16 the government of a foreign country under chapters
17 1 and 10 of part I or chapter 4 of part II of the
18 Foreign Assistance Act of 1961 under agreements
19 which result in the generation of local currencies of
20 that country, the Administrator of the United States
21 Agency for International Development shall—

22 (A) require that local currencies be depos-
23 ited in a separate account established by that
24 government;

1 (B) enter into an agreement with that gov-
2 ernment which sets forth—

3 (i) the amount of the local currencies
4 to be generated; and

5 (ii) the terms and conditions under
6 which the currencies so deposited may be
7 utilized, consistent with this section; and

8 (C) establish by agreement with that gov-
9 ernment the responsibilities of USAID and that
10 government to monitor and account for deposits
11 into and disbursements from the separate ac-
12 count.

13 (2) USES OF LOCAL CURRENCIES.—As may be
14 agreed upon with the foreign government, local cur-
15 rencies deposited in a separate account pursuant to
16 subsection (a), or an equivalent amount of local cur-
17 rencies, shall be used only—

18 (A) to carry out chapter 1 or 10 of part
19 I or chapter 4 of part II of the Foreign Assist-
20 ance Act of 1961 (as the case may be), for such
21 purposes as—

22 (i) project and sector assistance activi-
23 ties; or

24 (ii) debt and deficit financing; or

1 (B) for the administrative requirements of
2 the United States Government.

3 (3) PROGRAMMING ACCOUNTABILITY.—USAID
4 shall take all necessary steps to ensure that the
5 equivalent of the local currencies disbursed pursuant
6 to subsection (a)(2)(A) from the separate account
7 established pursuant to subsection (a)(1) are used
8 for the purposes agreed upon pursuant to subsection
9 (a)(2).

10 (4) TERMINATION OF ASSISTANCE PRO-
11 GRAMS.—Upon termination of assistance to a coun-
12 try under chapter 1 or 10 of part I or chapter 4 of
13 part II of the Foreign Assistance Act of 1961 (as
14 the case may be), any unencumbered balances of
15 funds which remain in a separate account estab-
16 lished pursuant to subsection (a) shall be disposed of
17 for such purposes as may be agreed to by the gov-
18 ernment of that country and the United States Gov-
19 ernment.

20 (5) REPORTING REQUIREMENT.—The USAID
21 Administrator shall report as part of the congres-
22 sional budget justification submitted to the Commit-
23 tees on Appropriations on the use of local currencies
24 for the administrative requirements of the United
25 States Government as authorized in subsection

1 (a)(2)(B), and such report shall include the amount
2 of local currency (and United States dollar equiva-
3 lent) used or to be used for such purpose in each ap-
4 plicable country.

5 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

6 (1) IN GENERAL.—If assistance is made avail-
7 able to the government of a foreign country, under
8 chapter 1 or 10 of part I or chapter 4 of part II of
9 the Foreign Assistance Act of 1961, as cash transfer
10 assistance or as nonproject sector assistance, that
11 country shall be required to maintain such funds in
12 a separate account and not commingle with any
13 other funds.

14 (2) APPLICABILITY OF OTHER PROVISIONS OF
15 LAW.—Such funds may be obligated and expended
16 notwithstanding provisions of law which are incon-
17 sistent with the nature of this assistance including
18 provisions which are referenced in the Joint Explan-
19 atory Statement of the Committee of Conference ac-
20 companying House Joint Resolution 648 (House Re-
21 port No. 98–1159).

22 (3) NOTIFICATION.—At least 15 days prior to
23 obligating any such cash transfer or nonproject sec-
24 tor assistance, the President shall submit a notifica-
25 tion through the regular notification procedures of

1 the Committees on Appropriations, which shall in-
2 clude a detailed description of how the funds pro-
3 posed to be made available will be used, with a dis-
4 cussion of the United States interests that will be
5 served by such assistance (including, as appropriate,
6 a description of the economic policy reforms that will
7 be promoted by such assistance).

8 (4) EXEMPTION.—Nonproject sector assistance
9 funds may be exempt from the requirements of para-
10 graph (1) only through the regular notification pro-
11 cedures of the Committees on Appropriations.

12 ELIGIBILITY FOR ASSISTANCE

13 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-
14 MENTAL ORGANIZATIONS.—Restrictions contained in this
15 or any other Act with respect to assistance for a country
16 shall not be construed to restrict assistance in support of
17 programs of nongovernmental organizations from funds
18 appropriated by this Act to carry out the provisions of
19 chapters 1, 10, 11, and 12 of part I and chapter 4 of
20 part II of the Foreign Assistance Act of 1961 and from
21 funds appropriated under the heading “Assistance for Eu-
22 rope, Eurasia and Central Asia”: *Provided*, That before
23 using the authority of this subsection to furnish assistance
24 in support of programs of nongovernmental organizations,
25 the President shall notify the Committees on Appropria-

1 tions pursuant to the regular notification procedures, in-
2 cluding a description of the program to be assisted, the
3 assistance to be provided, and the reasons for furnishing
4 such assistance: *Provided further*, That nothing in this
5 subsection shall be construed to alter any existing statu-
6 tory prohibitions against abortion or involuntary steriliza-
7 tions contained in this or any other Act.

8 (b) PUBLIC LAW 480.—During fiscal year 2018, re-
9 strictions contained in this or any other Act with respect
10 to assistance for a country shall not be construed to re-
11 strict assistance under the Food for Peace Act (Public
12 Law 83–480): *Provided*, That none of the funds appro-
13 priated to carry out title I of such Act and made available
14 pursuant to this subsection may be obligated or expended
15 except as provided through the regular notification proce-
16 dures of the Committees on Appropriations.

17 (c) EXCEPTION.—This section shall not apply—

18 (1) with respect to section 620A of the Foreign
19 Assistance Act of 1961 or any comparable provision
20 of law prohibiting assistance to countries that sup-
21 port international terrorism; or

22 (2) with respect to section 116 of the Foreign
23 Assistance Act of 1961 or any comparable provision
24 of law prohibiting assistance to the government of a

1 country that violates internationally recognized
2 human rights.

3 LOCAL COMPETITION

4 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
5 COMPETITION FOR LOCAL ENTITIES.—Funds appro-
6 priated by this Act that are made available to the United
7 States Agency for International Development may only be
8 made available for limited competitions through local enti-
9 ties if—

10 (1) prior to the determination to limit competi-
11 tion to local entities, USAID has—

12 (A) assessed the level of local capacity to
13 effectively implement, manage, and account for
14 programs included in such competition; and

15 (B) documented the written results of the
16 assessment and decisions made; and

17 (2) prior to making an award after limiting
18 competition to local entities—

19 (A) each successful local entity has been
20 determined to be responsible in accordance with
21 USAID guidelines; and

22 (B) effective monitoring and evaluation
23 systems are in place to ensure that award fund-
24 ing is used for its intended purposes; and

25 (3) no level of acceptable fraud is assumed.

1 (b) REPORTING REQUIREMENT.—In addition to the
2 requirements of subsection (a)(1), the USAID Adminis-
3 trator shall report to the appropriate congressional com-
4 mittees not later than 45 days after the end of fiscal year
5 2018 on all awards subject to limited or no competition
6 for local entities: *Provided*, That such report should be
7 posted on the USAID Web site: *Provided further*, That
8 the requirements of this subsection shall only apply to
9 awards in excess of \$3,000,000 and sole source awards
10 to local entities in excess of \$2,000,000.

11 INTERNATIONAL FINANCIAL INSTITUTIONS

12 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
13 Secretary of the Treasury shall instruct the United States
14 executive director of each international financial institu-
15 tion to seek to require that such institution adopts and
16 implements a publicly available policy, including the stra-
17 tegic use of peer reviews and external experts, to conduct
18 independent, in-depth evaluations of the effectiveness of
19 at least 25 percent of all loans, grants, programs, and sig-
20 nificant analytical non-lending activities in advancing the
21 institution's goals of reducing poverty and promoting equi-
22 table economic growth, consistent with relevant safe-
23 guards, to ensure that decisions to support such loans,
24 grants, programs, and activities are based on accurate
25 data and objective analysis: *Provided*, That not later than

1 45 days after enactment of this Act, the Secretary shall
2 submit a report to the Committees on Appropriations on
3 steps taken by the United States executive directors and
4 the international financial institutions consistent with this
5 subsection.

6 (b) COMPENSATION.—None of the funds appro-
7 priated under title V of this Act may be made as payment
8 to any international financial institution while the United
9 States executive director to such institution is com-
10 pensated by the institution at a rate which, together with
11 whatever compensation such executive director receives
12 from the United States, is in excess of the rate provided
13 for an individual occupying a position at level IV of the
14 Executive Schedule under section 5315 of title 5, United
15 States Code, or while any alternate United States execu-
16 tive director to such institution is compensated by the in-
17 stitution at a rate in excess of the rate provided for an
18 individual occupying a position at level V of the Executive
19 Schedule under section 5316 of title 5, United States
20 Code.

21 (c) HUMAN RIGHTS.—The Secretary of the Treasury
22 shall instruct the United States executive director of each
23 international financial institution to seek to require that
24 such institution conducts rigorous human rights due dili-
25 gence and risk management, as appropriate, in connection

1 with any loan, grant, policy, or strategy of such institu-
2 tion: *Provided*, That prior to voting on any such loan,
3 grant, policy, or strategy the executive director shall con-
4 sult with the Assistant Secretary for Democracy, Human
5 Rights, and Labor, Department of State, if the executive
6 director has reason to believe that such loan, grant, policy,
7 or strategy could result in forced displacement or other
8 violation of human rights.

9 (d) FRAUD AND CORRUPTION.—The Secretary of the
10 Treasury shall instruct the United States executive direc-
11 tor of each international financial institution to promote
12 in loan, grant, and other financing agreements improve-
13 ments in borrowing countries' financial management and
14 judicial capacity to investigate, prosecute, and punish
15 fraud and corruption.

16 (e) WHISTLEBLOWER PROTECTIONS.—The Secretary
17 of the Treasury shall instruct the United States executive
18 director of each international financial institution to seek
19 to require that each such institution is effectively imple-
20 menting and enforcing policies and procedures which re-
21 flect best practices for the protection of whistleblowers
22 from retaliation, including best practices for—

23 (1) protection against retaliation for internal
24 and lawful public disclosure;

25 (2) legal burdens of proof;

1 (3) statutes of limitation for reporting retalia-
2 tion;

3 (4) access to independent adjudicative bodies,
4 including external arbitration; and

5 (5) results that eliminate the effects of proven
6 retaliation.

7 DEBT-FOR-DEVELOPMENT

8 SEC. 7030. In order to enhance the continued partici-
9 pation of nongovernmental organizations in debt-for-devel-
10 opment and debt-for-nature exchanges, a nongovern-
11 mental organization which is a grantee or contractor of
12 the United States Agency for International Development
13 may place in interest bearing accounts local currencies
14 which accrue to that organization as a result of economic
15 assistance provided under title III of this Act and, subject
16 to the regular notification procedures of the Committees
17 on Appropriations, any interest earned on such investment
18 shall be used for the purpose for which the assistance was
19 provided to that organization.

20 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

21 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
22 MENT-TO-GOVERNMENT ASSISTANCE.—

23 (1) REQUIREMENTS.—Funds appropriated by
24 this Act may be made available for direct govern-
25 ment-to-government assistance only if—

1 (A)(i) each implementing agency or min-
2 istry to receive assistance has been assessed
3 and is considered to have the systems required
4 to manage such assistance and any identified
5 vulnerabilities or weaknesses of such agency or
6 ministry have been addressed;

7 (ii) the recipient agency or ministry em-
8 ploys and utilizes staff with the necessary tech-
9 nical, financial, and management capabilities;

10 (iii) the recipient agency or ministry has
11 adopted competitive procurement policies and
12 systems;

13 (iv) effective monitoring and evaluation
14 systems are in place to ensure that such assist-
15 ance is used for its intended purposes;

16 (v) no level of acceptable fraud is assumed;
17 and

18 (vi) the government of the recipient coun-
19 try is taking steps to publicly disclose on an an-
20 nual basis its national budget, to include in-
21 come and expenditures;

22 (B) the recipient government is in compli-
23 ance with the principles set forth in section
24 7013 of this Act;

1 (C) the recipient agency or ministry is not
2 headed or controlled by an organization des-
3 ignated as a foreign terrorist organization
4 under section 219 of the Immigration and Na-
5 tionality Act (8 U.S.C. 1189);

6 (D) the Government of the United States
7 and the government of the recipient country
8 have agreed, in writing, on clear and achievable
9 objectives for the use of such assistance, which
10 should be made available on a cost-reimbursable
11 basis; and

12 (E) the recipient government is taking
13 steps to protect the rights of civil society, in-
14 cluding freedoms of expression, association, and
15 assembly.

16 (2) CONSULTATION AND NOTIFICATION.—In
17 addition to the requirements in paragraph (1), no
18 funds may be made available for direct government-
19 to-government assistance without prior consultation
20 with, and notification of, the Committees on Appro-
21 priations: *Provided*, That such notification shall con-
22 tain an explanation of how the proposed activity
23 meets the requirements of paragraph (1): *Provided*
24 *further*, That the requirements of this paragraph
25 shall only apply to direct government-to-government

1 assistance in excess of \$10,000,000 and all funds
2 available for cash transfer, budget support, and cash
3 payments to individuals.

4 (3) SUSPENSION OF ASSISTANCE.—The Admin-
5 istrator of the United States Agency for Inter-
6 national Development or the Secretary of State, as
7 appropriate, shall suspend any direct government-to-
8 government assistance if the Administrator or the
9 Secretary has credible information of material mis-
10 use of such assistance, unless the Administrator or
11 the Secretary reports to the Committees on Appro-
12 priations that it is in the national interest of the
13 United States to continue such assistance, including
14 a justification, or that such misuse has been appro-
15 priately addressed.

16 (4) SUBMISSION OF INFORMATION.—The Sec-
17 retary of State shall submit to the Committees on
18 Appropriations, concurrent with the fiscal year 2019
19 congressional budget justification materials, amounts
20 planned for assistance described in paragraph (1) by
21 country, proposed funding amount, source of funds,
22 and type of assistance.

23 (5) REPORT.—Not later than 90 days after the
24 enactment of this Act and 6 months thereafter until
25 September 30, 2019, the USAID Administrator

1 shall submit to the Committees on Appropriations a
2 report that—

3 (A) details all assistance described in para-
4 graph (1) provided during the previous 6-month
5 period by country, funding amount, source of
6 funds, and type of such assistance; and

7 (B) the type of procurement instrument or
8 mechanism utilized and whether the assistance
9 was provided on a reimbursable basis.

10 (6) DEBT SERVICE PAYMENT PROHIBITION.—

11 None of the funds made available by this Act may
12 be used by the government of any foreign country
13 for debt service payments owed by any country to
14 any international financial institution: *Provided,*
15 That for purposes of this paragraph, the term
16 “international financial institution” has the meaning
17 given the term in section 7034(o)(3) of this Act.

18 (b) NATIONAL BUDGET AND CONTRACT TRANS-
19 PARENCY.—

20 (1) MINIMUM REQUIREMENTS OF FISCAL
21 TRANSPARENCY.—The Secretary of State shall con-
22 tinue to update and strengthen the “minimum re-
23 quirements of fiscal transparency” for each govern-
24 ment receiving assistance appropriated by this Act,
25 as identified in the report required by section

1 7031(b) of the Department of State, Foreign Oper-
2 ations, and Related Programs Appropriations Act,
3 2014 (division K of Public Law 113–76).

4 (2) DEFINITION.—For purposes of paragraph
5 (1), “minimum requirements of fiscal transparency”
6 are requirements consistent with those in subsection
7 (a)(1), and the public disclosure of national budget
8 documentation (to include receipts and expenditures
9 by ministry) and government contracts and licenses
10 for natural resource extraction (to include bidding
11 and concession allocation practices).

12 (3) DETERMINATION AND REPORT.—For each
13 government identified pursuant to paragraph (1),
14 the Secretary of State, not later than 180 days after
15 enactment of this Act, shall make or update any de-
16 termination of “significant progress” or “no signifi-
17 cant progress” in meeting the minimum require-
18 ments of fiscal transparency, and make such deter-
19 minations publicly available in an annual “Fiscal
20 Transparency Report” to be posted on the Depart-
21 ment of State Web site: *Provided*, That the Sec-
22 retary shall identify the significant progress made by
23 each such government to publicly disclose national
24 budget documentation, contracts, and licenses which
25 are additional to such information disclosed in pre-

1 vious fiscal years, and include specific recommenda-
2 tions of short- and long-term steps such government
3 should take to improve fiscal transparency: *Provided*
4 *further*, That the annual report shall include a de-
5 tailed description of how funds appropriated by this
6 Act are being used to improve fiscal transparency,
7 and identify benchmarks for measuring progress.

8 (4) ASSISTANCE.—Funds appropriated under
9 title III of this Act shall be made available for pro-
10 grams and activities to assist governments identified
11 pursuant to paragraph (1) to improve budget trans-
12 parency and to support civil society organizations in
13 such countries that promote budget transparency:
14 *Provided*, That such sums shall be in addition to
15 funds otherwise available for such purposes: *Pro-*
16 *vided further*, That a description of the uses of such
17 funds shall be included in the annual “Fiscal Trans-
18 parency Report” required by paragraph (3).

19 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

20 (1)(A) INELIGIBILITY.—Officials of foreign gov-
21 ernments and their immediate family members about
22 whom the Secretary of State has credible informa-
23 tion have been involved in significant corruption, in-
24 cluding corruption related to the extraction of nat-

1 ural resources, or a gross violation of human rights
2 shall be ineligible for entry into the United States.

3 (B) The Secretary shall also publicly or pri-
4 vately designate or identify officials of foreign gov-
5 ernments and their immediate family members about
6 whom the Secretary has such credible information
7 without regard to whether the individual has applied
8 for a visa.

9 (2) EXCEPTION.—Individuals shall not be ineli-
10 gible if entry into the United States would further
11 important United States law enforcement objectives
12 or is necessary to permit the United States to fulfill
13 its obligations under the United Nations Head-
14 quarters Agreement: *Provided*, That nothing in
15 paragraph (1) shall be construed to derogate from
16 United States Government obligations under applica-
17 ble international agreements.

18 (3) WAIVER.—The Secretary may waive the ap-
19 plication of paragraph (1) if the Secretary deter-
20 mines that the waiver would serve a compelling na-
21 tional interest or that the circumstances which
22 caused the individual to be ineligible have changed
23 sufficiently.

24 (4) REPORT.—Not later than 6 months after
25 enactment of this Act, the Secretary of State shall

1 submit a report, including a classified annex if nec-
2 essary, to the Committees on Appropriations and the
3 Committees on the Judiciary describing the informa-
4 tion related to corruption or violation of human
5 rights concerning each of the individuals found ineli-
6 gible in the previous 12 months pursuant to para-
7 graph (1)(A) as well as the individuals who the Sec-
8 retary designated or identified pursuant to para-
9 graph (1)(B), or who would be ineligible but for the
10 application of paragraph (2), a list of any waivers
11 provided under paragraph (3), and the justification
12 for each waiver.

13 (5) POSTING OF REPORT.—Any unclassified
14 portion of the report required under paragraph (4)
15 shall be posted on the Department of State Web
16 site.

17 (6) CLARIFICATION.—For purposes of para-
18 graphs (1)(B), (4), and (5), the records of the De-
19 partment of State and of diplomatic and consular of-
20 fices of the United States pertaining to the issuance
21 or refusal of visas or permits to enter the United
22 States shall not be considered confidential.

23 (d) FOREIGN ASSISTANCE WEB SITE.—Funds appro-
24 priated by this Act under titles I and II, and funds made
25 available for any independent agency in title III, as appro-

1 priate, shall be made available to support the provision
2 of additional information on United States Government
3 foreign assistance on the Department of State foreign as-
4 sistance Web site: *Provided*, That all Federal agencies
5 funded under this Act shall provide such information on
6 foreign assistance, upon request, to the Department of
7 State.

8 DEMOCRACY PROGRAMS

9 SEC. 7032. (a) FUNDING.—Of the funds appro-
10 priated by this Act, not less than \$2,308,517,000 shall
11 be made available for democracy programs.

12 (b) AUTHORITY.—Funds made available by this Act
13 for democracy programs may be made available notwith-
14 standing any other provision of law, and with regard to
15 the National Endowment for Democracy, any regulation.

16 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
17 purposes of funds appropriated by this Act, the term “de-
18 mocracy programs” means programs that support good
19 governance, credible and competitive elections, freedom of
20 expression, association, assembly, and religion, human
21 rights, labor rights, independent media, and the rule of
22 law, and that otherwise strengthen the capacity of demo-
23 cratic political parties, governments, nongovernmental or-
24 ganizations and institutions, and citizens to support the

1 development of democratic states, and institutions that are
2 responsive and accountable to citizens.

3 (d) PROGRAM PRIORITIZATION.—Funds made avail-
4 able pursuant to this section that are made available for
5 programs to strengthen government institutions shall be
6 prioritized for those institutions that demonstrate a com-
7 mitment to democracy and the rule of law, as determined
8 by the Secretary of State or the Administrator of the
9 United States Agency for International Development, as
10 appropriate.

11 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
12 spect to the provision of assistance for democracy pro-
13 grams in this Act, the organizations implementing such
14 assistance, the specific nature of that assistance, and the
15 participants in such programs shall not be subject to the
16 prior approval by the government of any foreign country:
17 *Provided*, That the Secretary of State, in coordination
18 with the USAID Administrator, shall report to the Com-
19 mittees on Appropriations, not later than 120 days after
20 enactment of this Act, detailing steps taken by the Depart-
21 ment of State and USAID to comply with the require-
22 ments of this subsection.

23 (f) CONTINUATION OF CURRENT PRACTICES.—
24 USAID shall continue to implement civil society and polit-
25 ical competition and consensus building programs abroad

1 with funds appropriated by this Act in a manner that rec-
2 ognizes the unique benefits of grants and cooperative
3 agreements in implementing such programs: *Provided*,
4 That nothing in this paragraph shall be construed to af-
5 fect the ability of any entity, including United States small
6 businesses, from competing for proposals for USAID-
7 funded civil society and political competition and con-
8 sensus building programs.

9 (g) COMMUNICATION AND REPORTING REQUIRE-
10 MENTS.—

11 (1) INFORMING THE NATIONAL ENDOWMENT
12 FOR DEMOCRACY.—The Assistant Secretary for De-
13 mocracy, Human Rights, and Labor, Department of
14 State, and the Assistant Administrator for Democ-
15 racy, Conflict, and Humanitarian Assistance,
16 USAID, shall regularly inform the National Endow-
17 ment for Democracy of democracy programs that
18 are planned and supported by funds made available
19 by this Act and prior Acts making appropriations
20 for the Department of State, foreign operations, and
21 related programs.

22 (2) REPORT ON FUNDING INSTRUMENTS.—Not
23 later than September 30, 2018, the Secretary of
24 State and USAID Administrator shall each submit
25 to the Committees on Appropriations a report detail-

1 ing the use of contracts, grants, and cooperative
2 agreements in the conduct of democracy programs
3 with funds made available by the Department of
4 State, Foreign Operations, and Related Programs
5 Appropriations Act, 2017 (division J of Public Law
6 115–31), which shall include funding level, account,
7 program sector and subsector, and a brief summary
8 of purpose.

9 (3) REPORT ON PROGRAM CHANGES.—The Sec-
10 retary of State or the USAID Administrator, as ap-
11 propriate, shall report to the appropriate congres-
12 sional committees within 30 days of a decision to
13 significantly change the objectives or the content of
14 a democracy program or to close such a program
15 due to the increasingly repressive nature of the host
16 country government: *Provided*, That the report shall
17 also include a strategy for continuing support for de-
18 mocracy promotion, if such programming is feasible,
19 and may be submitted in classified form, if nec-
20 essary.

21 INTERNATIONAL RELIGIOUS FREEDOM

22 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
23 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
24 GIOUS FREEDOM.—

1 (1) Funds appropriated by this Act under the
2 heading “Diplomatic and Consular Programs” shall
3 be made available for the Office of International Re-
4 ligious Freedom, Bureau of Democracy, Human
5 Rights, and Labor, Department of State, the Office
6 of the Ambassador-at-Large for International Reli-
7 gious Freedom, and the Special Envoy to Promote
8 Religious Freedom of Religious Minorities in the
9 Near East and South Central Asia, as authorized in
10 the Near East and South Central Asia Religious
11 Freedom Act of 2014 (Public Law 113–161), includ-
12 ing for support staff at not less than the amounts
13 specified for such offices in the table under such
14 heading in the report accompanying this Act.

15 (2) Funds appropriated under the heading
16 “Diplomatic and Consular Programs” and des-
17 ignated for the Office of International Religious
18 Freedom shall be made available for the development
19 and implementation of an international religious
20 freedom curriculum in accordance with section
21 708(a)(2) of the Foreign Service Act of 1980 (22
22 U.S.C. 4028).

23 (b) ASSISTANCE.—

24 (1) INTERNATIONAL RELIGIOUS FREEDOM PRO-
25 GRAMS.—Of the funds appropriated by this Act

1 under the heading “Democracy Fund” and available
2 for the Human Rights and Democracy Fund
3 (HRDF), not less than \$10,000,000 shall be made
4 available for international religious freedom pro-
5 grams.

6 (2) PROTECTION AND INVESTIGATION PRO-
7 GRAMS.—Of the funds appropriated by this Act
8 under the heading “Economic Support Fund”, not
9 less than \$10,000,000 shall be made available for
10 programs to protect vulnerable and persecuted reli-
11 gious minorities, including for assistance authorized
12 by section 5 of H.R. 390, the Iraq and Syria Geno-
13 cide Emergency Relief and Accountability Act of
14 2017, as passed by the House of Representatives on
15 June 6, 2017.

16 (3) HUMANITARIAN PROGRAMS.—Funds appro-
17 priated by this Act under the headings “Inter-
18 national Disaster Assistance” and “Migration and
19 Refugee Assistance” shall be made available for hu-
20 manitarian assistance for vulnerable and persecuted
21 religious minorities, including victims of genocide
22 designated by the Secretary of State and other
23 groups that have suffered crimes against humanity
24 and ethnic cleansing, to—

1 (A) accelerate the implementation of an
2 immediate, coordinated, and sustained response
3 to provide humanitarian assistance;

4 (B) enhance protection of conflict victims,
5 including those facing a dire humanitarian cri-
6 sis and severe persecution because of their faith
7 or ethnicity; and

8 (C) improve access to secure locations for
9 obtaining humanitarian and resettlement serv-
10 ices.

11 (c) INTERNATIONAL BROADCASTING.—Funds appro-
12 priated by this Act under the heading “Broadcasting
13 Board of Governors, International Broadcasting Oper-
14 ations” shall be made available for programs related to
15 international religious freedom, including reporting on the
16 condition of vulnerable and persecuted religious groups.

17 SPECIAL PROVISIONS

18 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
19 DREN, AND DISPLACED BURMESE.—Funds appropriated
20 in titles III and VI of this Act that are made available
21 for victims of war, displaced children, displaced Burmese,
22 and to combat trafficking in persons and assist victims
23 of such trafficking, may be made available notwith-
24 standing any other provision of law.

25 (b) LAW ENFORCEMENT AND SECURITY.—

1 (1) CHILD SOLDIERS.—Funds appropriated by
2 this Act should not be used to support any military
3 training or operations that include child soldiers.

4 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
5 INTEGRATION.—Section 7034(d) of the Department
6 of State, Foreign Operations, and Related Programs
7 Appropriations Act, 2015 (division J of Public Law
8 113–235) shall continue in effect during fiscal year
9 2018.

10 (3) FORENSIC ASSISTANCE.—

11 (A) Of the funds appropriated by this Act
12 under the heading “Economic Support Fund”,
13 not less than \$6,500,000 shall be made avail-
14 able for forensic anthropology assistance related
15 to the exhumation of mass graves and the iden-
16 tification of victims of war crimes, genocide,
17 and crimes against humanity, including in Iraq,
18 Guatemala, Colombia, El Salvador, Syria, and
19 Sri Lanka, which shall be administered by the
20 Assistant Secretary for Democracy, Human
21 Rights, and Labor, Department of State.

22 (B) Of the funds appropriated by this Act
23 under the heading “International Narcotics
24 Control and Law Enforcement”, not less than
25 \$6,000,000 shall be made available for DNA fo-

1 rensic technology programs to combat human
2 trafficking in Central America and Mexico.

3 (4) INTERNATIONAL PRISON CONDITIONS.—
4 Section 7065 of the Department of State, Foreign
5 Operations, and Related Programs Appropriations
6 Act, 2015 (division J of Public Law 113–235) shall
7 continue in effect during fiscal year 2018.

8 (5) RECONSTITUTING CIVILIAN POLICE AU-
9 THORITY.—In providing assistance with funds ap-
10 propriated by this Act under section 660(b)(6) of
11 the Foreign Assistance Act of 1961, support for a
12 nation emerging from instability may be deemed to
13 mean support for regional, district, municipal, or
14 other sub-national entity emerging from instability,
15 as well as a nation emerging from instability.

16 (6) SECURITY ASSISTANCE REPORT.—Not later
17 than 120 days after enactment of this Act, the Sec-
18 retary of State shall submit to the Committees on
19 Appropriations a report on funds obligated and ex-
20 pended during fiscal year 2017, by country and pur-
21 pose of assistance, under the headings “Peace-
22 keeping Operations”, “International Military Edu-
23 cation and Training”, and “Foreign Military Fi-
24 nancing Program”.

1 (7) FOREIGN MILITARY SALES AND FOREIGN
2 MILITARY FINANCING PROGRAM.—

3 (A) AVAILABILITY.—Funds appropriated
4 by this Act under the heading “Foreign Mili-
5 tary Financing Program” for the general costs
6 of administering military assistance and sales
7 shall be made available to increase the effi-
8 ciency and effectiveness of programs authorized
9 by Chapter 2 of the Arms Export Control Act:
10 *Provided*, That prior to the obligation of funds
11 for such purposes, the Secretary of State shall
12 consult with the Committees on Appropriations.

13 (B) QUARTERLY STATUS REPORT.—Fol-
14 lowing the submission of the quarterly report
15 required by section 36 of Public Law 90–629
16 (22 U.S.C. 2776), the Secretary of State, in co-
17 ordination with the Secretary of Defense, shall
18 submit to the Committees on Appropriations a
19 status report that contains the information de-
20 scribed under the heading “Foreign Military Fi-
21 nancing Program” in the report accompanying
22 this Act.

23 (c) WORLD FOOD PROGRAMME.—Funds managed by
24 the Bureau for Democracy, Conflict, and Humanitarian
25 Assistance, United States Agency for International Devel-

1 opment, from this or any other Act, may be made available
2 as a general contribution to the World Food Programme.

3 (d) DIRECTIVES AND AUTHORITIES.—

4 (1) RESEARCH AND TRAINING.—Funds appro-
5 priated by this Act under the heading “Assistance
6 for Europe, Eurasia and Central Asia” shall be
7 made available to carry out the Program for Re-
8 search and Training on Eastern Europe and the
9 Independent States of the Former Soviet Union as
10 authorized by the Soviet-Eastern European Research
11 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

12 (2) GENOCIDE VICTIMS MEMORIAL SITES AND
13 TRIBUNALS.—Funds appropriated by this Act and
14 prior Acts making appropriations for the Depart-
15 ment of State, foreign operations, and related pro-
16 grams under the headings “Economic Support
17 Fund” and “Assistance for Europe, Eurasia and
18 Central Asia” may be made available as contribu-
19 tions to establish and maintain memorial sites of
20 genocide, subject to the regular notification proce-
21 dures of the Committees on Appropriations.

22 (3) ADDITIONAL AUTHORITY.—Of the amount
23 made available under the heading “Diplomatic and
24 Consular Programs”, not to exceed \$1,000,000 may

1 be used to make grants to carry out the activities of
2 the Cultural Antiquities Task Force.

3 (4) INNOVATION.—The USAID Administrator
4 may use funds appropriated by this Act under title
5 III to make innovation incentive awards: *Provided*,
6 That each individual award may not exceed
7 \$100,000: *Provided further*, That no more than 10
8 such awards may be made during fiscal year 2018:
9 *Provided further*, That for purposes of this para-
10 graph the term “innovation incentive award” means
11 the provision of funding on a competitive basis
12 that—

13 (A) encourages and rewards the develop-
14 ment of solutions for a particular, well-defined
15 problem related to the alleviation of poverty; or

16 (B) helps identify and promote a broad
17 range of ideas and practices facilitating further
18 development of an idea or practice by third par-
19 ties.

20 (5) REPORT.—The report required by section
21 502(d) of the Intelligence Authorization Act for Fis-
22 cal Year 2017 (division N of Public Law 115–31)
23 shall be provided to the Committees on Appropria-
24 tions.

1 (e) PARTNER VETTING.—The Secretary of State and
2 USAID Administrator may initiate a partner vetting pro-
3 gram to mitigate the risk of diversion of foreign assist-
4 ance, or make significant modifications to any existing
5 partner vetting program, only following consultation with
6 the Committees on Appropriations: *Provided*, That the
7 Secretary and Administrator should provide a direct vet-
8 ting option for prime awardees in any partner vetting pro-
9 gram initiated after the date of the enactment of this Act.

10 (f) CONTINGENCIES.—During fiscal year 2018, the
11 President may use up to \$125,000,000 under the author-
12 ity of section 451 of the Foreign Assistance Act of 1961,
13 notwithstanding any other provision of law.

14 (g) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-
15 retary of State should withhold funds appropriated under
16 title III of this Act for assistance for the central govern-
17 ment of any country that is not taking appropriate steps
18 to comply with the Convention on the Civil Aspects of
19 International Child Abductions, done at the Hague on Oc-
20 tober 25, 1980: *Provided*, That the Secretary shall report
21 to the Committees on Appropriations within 15 days of
22 withholding funds under this subsection.

23 (h) CULTURAL PRESERVATION PROJECT DETER-
24 MINATION.—None of the funds appropriated in titles I and
25 III of this Act may be used for the preservation of reli-

1 gious sites unless the Secretary of State or the USAID
2 Administrator, as appropriate, determines and reports to
3 the Committees on Appropriations that such sites are his-
4 torically, artistically, or culturally significant, that the
5 purpose of the project is neither to advance nor to inhibit
6 the free exercise of religion, and that the project is in the
7 national interest of the United States.

8 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
9 TECTION.—The Secretary of State may transfer to, and
10 merge with, funds under the heading “Protection of For-
11 eign Missions and Officials” unobligated balances of ex-
12 pired funds appropriated under the heading “Diplomatic
13 and Consular Programs” for fiscal year 2018, except for
14 funds designated for Overseas Contingency Operations/
15 Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, at no later than the end of
18 the fifth fiscal year after the last fiscal year for which such
19 funds are available for the purposes for which appro-
20 priated: *Provided*, That not more than \$50,000,000 may
21 be transferred.

22 (j) GREEN CLIMATE FUND PROHIBITION.—None of
23 the funds appropriated or otherwise made available by this
24 Act or prior Acts making appropriations for the Depart-
25 ment of State, foreign operations, and related programs

1 may be made available as a contribution, grant, or any
2 other payment to the Green Climate Fund.

3 (k) EXTENSION OF AUTHORITIES.—

4 (1) PASSPORT FEES.—Section 1(b)(2) of the
5 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
6 shall be applied by substituting “September 30,
7 2018” for “September 30, 2010”.

8 (2) INCENTIVES FOR CRITICAL POSTS.—The
9 authority contained in section 1115(d) of the Sup-
10 plemental Appropriations Act, 2009 (Public Law
11 111–32) shall remain in effect through September
12 30, 2018.

13 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
14 ER.—Section 625(j)(1) of the Foreign Assistance
15 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
16 by substituting “September 30, 2018” for “October
17 1, 2010” in subparagraph (B).

18 (4) CATEGORICAL ELIGIBILITY.—The Foreign
19 Operations, Export Financing, and Related Pro-
20 grams Appropriations Act, 1990 (Public Law 101–
21 167) is amended—

22 (A) in section 599D (8 U.S.C. 1157
23 note)—

1 (i) in subsection (b)(3), by striking
2 “and 2017” and inserting “2017, and
3 2018”; and

4 (ii) in subsection (e), by striking
5 “2017” each place it appears and inserting
6 “2018”; and

7 (B) in section 599E (8 U.S.C. 1255 note)
8 in subsection (b)(2), by striking “2017” and in-
9 serting “2018”.

10 (5) INSPECTOR GENERAL ANNUITANT WAIV-
11 ER.—The authorities provided in section 1015(b) of
12 the Supplemental Appropriations Act, 2010 (Public
13 Law 111–212) shall remain in effect through Sep-
14 tember 30, 2018.

15 (6) EXTENSION OF WAR RESERVES STOCKPILE
16 AUTHORITY.—

17 (A) Section 12001(d) of the Department of
18 Defense Appropriations Act, 2005 (Public Law
19 108–287; 118 Stat. 1011) is amended by strik-
20 ing “2018” and inserting “2019”.

21 (B) Section 514(b)(2)(A) of the Foreign
22 Assistance Act of 1961 (22 U.S.C.
23 2321h(b)(2)(A)) is amended by striking “and
24 2018” and inserting “2018, and 2019”.

1 (l) DEPARTMENT OF STATE AND THE UNITED
2 STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—
3 Prior to implementing any reorganization of the Depart-
4 ment of State or USAID, including any action taken pur-
5 suant to the March 13, 2017 Executive Order 13781 on
6 a Comprehensive Plan for Reorganizing the Executive
7 Branch, the Secretary of State shall submit a report to
8 the appropriate congressional committees on such reorga-
9 nization: *Provided*, That such report shall include—

10 (1) a detailed justification and analysis for each
11 major element of such reorganization plans, includ-
12 ing any proposals to—

13 (A) eliminate or consolidate covered de-
14 partments, agencies, or organizations, including
15 bureaus and offices within such departments,
16 agencies, or organizations, with duplicative or
17 overlapping programs or missions;

18 (B) expand, reconfigure, eliminate, or con-
19 solidate the United States official presence
20 overseas, including through the disposal of ex-
21 cess property, at bilateral, regional, or multilat-
22 eral embassies and missions;

23 (C) reduce, modernize, or otherwise modify
24 the workforce of the Department of State and
25 USAID, including Civil Service and Foreign

1 Service, eligible family members, and locally
2 employed staff; and

3 (D) improve the efficiency, effectiveness,
4 performance, and accountability of the Depart-
5 ment of State and USAID, including through
6 modernizing information technology platforms
7 and streamlining administrative functions; and

8 (2) projections of cost savings and efficiencies
9 achieved through implementation of each element,
10 an analysis of the impact of any such change on the
11 ability to advance the national interests of the
12 United States through diplomacy and development
13 and to conduct adequate monitoring and oversight of
14 foreign assistance programs, and any legislative
15 change necessary to implement such proposals.

16 (m) HIV/AIDS WORKING CAPITAL FUND.—Funds
17 available in the HIV/AIDS Working Capital Fund estab-
18 lished pursuant to section 525(b)(1) of the Foreign Oper-
19 ations, Export Financing, and Related Programs Appro-
20 priations Act, 2005 (Public Law 108–477) may be made
21 available for pharmaceuticals and other products for child
22 survival, malaria, and tuberculosis to the same extent as
23 HIV/AIDS pharmaceuticals and other products, subject to
24 the terms and conditions in such section: *Provided*, That
25 the authority in section 525(b)(5) of the Foreign Oper-

1 ations, Export Financing, and Related Programs Approp-
2 priation Act, 2005 (Public Law 108–477) shall be exer-
3 cised by the Assistant Administrator for Global Health,
4 USAID, with respect to funds deposited for such non-
5 HIV/AIDS pharmaceuticals and other products, and shall
6 be subject to the regular notification procedures of the
7 Committees on Appropriations: *Provided further*, That the
8 Secretary of State shall include in the congressional budg-
9 et justification an accounting of budgetary resources, dis-
10 bursements, balances, and reimbursements related to such
11 fund.

12 (n) LOAN GUARANTEES.—Funds appropriated under
13 the headings “Economic Support Fund” and “Assistance
14 for Europe, Eurasia and Central Asia” by this Act and
15 prior Acts making appropriations for the Department of
16 State, foreign operations, and related programs may be
17 made available for the costs, as defined in section 502 of
18 the Congressional Budget Act of 1974, of loan guarantees
19 for Jordan, Ukraine, Iraq, Egypt, and Tunisia, which are
20 authorized to be provided: *Provided*, That amounts made
21 available under this paragraph for the costs of such guar-
22 antees shall not be considered assistance for the purposes
23 of provisions of law limiting assistance to a country: *Pro-*
24 *vided further*, That funds made available pursuant to this
25 subsection shall be subject to prior consultation with the

1 appropriate congressional committees, and the regular no-
2 tification procedures of the Committees on Appropria-
3 tions: *Provided further*, That amounts made available pur-
4 suant to this subsection from prior Acts that were pre-
5 viously designated by the Congress for Overseas Contingency
6 Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985, are designated
9 by the Congress for Overseas Contingency Operations/
10 Global War on Terrorism pursuant to section
11 251(b)(2)(A)(ii) of such Act and shall be available only
12 if the President subsequently so designates all such
13 amounts and transmits such designations to the Congress.

14 (o) DEFINITIONS.—

15 (1) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—Unless otherwise defined in this Act, for
17 purposes of this Act the term “appropriate congressional
18 committees” means the Committees on Appropriations and Foreign Relations of the Senate and
19 the Committees on Appropriations and Foreign Affairs of the House of Representatives.

22 (2) FUNDS APPROPRIATED BY THIS ACT AND
23 PRIOR ACTS.—Unless otherwise defined in this Act,
24 for purposes of this Act the term “funds appropriated
25 by this Act and prior Acts making appro-

1 priations for the Department of State, foreign oper-
2 ations, and related programs” means funds that re-
3 main available for obligation, and have not expired.

4 (3) INTERNATIONAL FINANCIAL INSTITU-
5 TIONS.—In this Act “international financial institu-
6 tions” means the International Bank for Recon-
7 struction and Development, the International Devel-
8 opment Association, the International Finance Cor-
9 poration, the Inter-American Development Bank, the
10 International Monetary Fund, the Asian Develop-
11 ment Bank, the Asian Development Fund, the Inter-
12 American Investment Corporation, the North Amer-
13 ican Development Bank, the European Bank for Re-
14 construction and Development, the African Develop-
15 ment Bank, the African Development Fund, and the
16 Multilateral Investment Guarantee Agency.

17 (4) SOUTHERN KORDOFAN REFERENCE.—Any
18 reference to Southern Kordofan in this or any other
19 Act making appropriations for the Department of
20 State, foreign operations, and related programs shall
21 be deemed to include portions of Western Kordofan
22 that were previously part of Southern Kordofan
23 prior to the 2013 division of Southern Kordofan.

1 (5) USAID.—In this Act, the term “USAID”
2 means the United States Agency for International
3 Development.

4 (6) CLARIFICATION.—Unless otherwise provided
5 for in this Act, for the purposes of this Act the
6 terms “under this heading”, “under the heading”,
7 “under the headings”, or similar phrases mean
8 funds appropriated or otherwise made available
9 under such heading or headings in all titles of this
10 Act: *Provided*, That the term “under the heading in
11 this title” or similar phrases means funds appro-
12 priated or otherwise made available only in such
13 title.

14 (7) SPEND PLAN.—In this Act, the term
15 “spend plan” means a plan for the uses of funds ap-
16 propriated for a particular entity, country, program,
17 purpose, or account and which shall include, at a
18 minimum, a description of—

19 (A) realistic and sustainable goals and cri-
20 teria for measuring progress and a timeline for
21 achieving such goals; and

22 (B) amounts and sources of funds by ac-
23 count.

24 ARAB LEAGUE BOYCOTT OF ISRAEL

25 SEC. 7035. It is the sense of the Congress that—

1 (1) the Arab League boycott of Israel, and the
2 secondary boycott of American firms that have com-
3 mercial ties with Israel, is an impediment to peace
4 in the region and to United States investment and
5 trade in the Middle East and North Africa;

6 (2) the Arab League boycott, which was regret-
7 tably reinstated in 1997, should be immediately and
8 publicly terminated, and the Central Office for the
9 Boycott of Israel immediately disbanded;

10 (3) all Arab League states should normalize re-
11 lations with their neighbor Israel;

12 (4) the President and the Secretary of State
13 should continue to vigorously oppose the Arab
14 League boycott of Israel and find concrete steps to
15 demonstrate that opposition by, for example, taking
16 into consideration the participation of any recipient
17 country in the boycott when determining to sell
18 weapons to said country; and

19 (5) the President should report to Congress an-
20 nually on specific steps being taken by the United
21 States to encourage Arab League states to normalize
22 their relations with Israel to bring about the termi-
23 nation of the Arab League boycott of Israel, includ-
24 ing those to encourage allies and trading partners of
25 the United States to enact laws prohibiting busi-

1 nesses from complying with the boycott and penal-
2 izing businesses that do comply.

3 PALESTINIAN STATEHOOD

4 SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None
5 of the funds appropriated under titles III through VI of
6 this Act may be provided to support a Palestinian state
7 unless the Secretary of State determines and certifies to
8 the appropriate congressional committees that—

9 (1) the governing entity of a new Palestinian
10 state—

11 (A) has demonstrated a firm commitment
12 to peaceful co-existence with the State of Israel;
13 and

14 (B) is taking appropriate measures to
15 counter terrorism and terrorist financing in the
16 West Bank and Gaza, including the dismantling
17 of terrorist infrastructures, and is cooperating
18 with appropriate Israeli and other appropriate
19 security organizations; and

20 (2) the Palestinian Authority (or the governing
21 entity of a new Palestinian state) is working with
22 other countries in the region to vigorously pursue ef-
23 forts to establish a just, lasting, and comprehensive
24 peace in the Middle East that will enable Israel and
25 an independent Palestinian state to exist within the

1 context of full and normal relationships, which
2 should include—

3 (A) termination of all claims or states of
4 belligerency;

5 (B) respect for and acknowledgment of the
6 sovereignty, territorial integrity, and political
7 independence of every state in the area through
8 measures including the establishment of demili-
9 tarized zones;

10 (C) their right to live in peace within se-
11 cure and recognized boundaries free from
12 threats or acts of force;

13 (D) freedom of navigation through inter-
14 national waterways in the area; and

15 (E) a framework for achieving a just set-
16 tlement of the refugee problem.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the governing entity should enact a constitution
19 assuring the rule of law, an independent judiciary, and
20 respect for human rights for its citizens, and should enact
21 other laws and regulations assuring transparent and ac-
22 countable governance.

23 (c) WAIVER.—The President may waive subsection
24 (a) if the President determines that it is important to the
25 national security interest of the United States to do so.

1 (d) EXEMPTION.—The restriction in subsection (a)
2 shall not apply to assistance intended to help reform the
3 Palestinian Authority and affiliated institutions, or the
4 governing entity, in order to help meet the requirements
5 of subsection (a), consistent with the provisions of section
6 7040 of this Act (“Limitation on Assistance for the Pales-
7 tinian Authority”).

8 RESTRICTIONS CONCERNING THE PALESTINIAN
9 AUTHORITY

10 SEC. 7037. None of the funds appropriated under ti-
11 tles II through VI of this Act may be obligated or ex-
12 pended to create in any part of Jerusalem a new office
13 of any department or agency of the United States Govern-
14 ment for the purpose of conducting official United States
15 Government business with the Palestinian Authority over
16 Gaza and Jericho or any successor Palestinian governing
17 entity provided for in the Israel-PLO Declaration of Prin-
18 ciples: *Provided*, That this restriction shall not apply to
19 the acquisition of additional space for the existing Con-
20 sulate General in Jerusalem: *Provided further*, That meet-
21 ings between officers and employees of the United States
22 and officials of the Palestinian Authority, or any successor
23 Palestinian governing entity provided for in the Israel-
24 PLO Declaration of Principles, for the purpose of con-
25 ducting official United States Government business with

1 such authority should continue to take place in locations
2 other than Jerusalem: *Provided further*, That as has been
3 true in the past, officers and employees of the United
4 States Government may continue to meet in Jerusalem on
5 other subjects with Palestinians (including those who now
6 occupy positions in the Palestinian Authority), have social
7 contacts, and have incidental discussions.

8 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
9 BROADCASTING CORPORATION

10 SEC. 7038. None of the funds appropriated or other-
11 wise made available by this Act may be used to provide
12 equipment, technical support, consulting services, or any
13 other form of assistance to the Palestinian Broadcasting
14 Corporation.

15 ASSISTANCE FOR THE WEST BANK AND GAZA

16 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2018,
17 30 days prior to the initial obligation of funds for the bi-
18 lateral West Bank and Gaza Program, the Secretary of
19 State shall certify to the Committees on Appropriations
20 that procedures have been established to assure the Comp-
21 troller General of the United States will have access to
22 appropriate United States financial information in order
23 to review the uses of United States assistance for the Pro-
24 gram funded under the heading “Economic Support
25 Fund” for the West Bank and Gaza.

1 (b) VETTING.—Prior to the obligation of funds ap-
2 propriated by this Act under the heading “Economic Sup-
3 port Fund” for assistance for the West Bank and Gaza,
4 the Secretary of State shall take all appropriate steps to
5 ensure that such assistance is not provided to or through
6 any individual, private or government entity, or edu-
7 cational institution that the Secretary knows or has reason
8 to believe advocates, plans, sponsors, engages in, or has
9 engaged in, terrorist activity nor, with respect to private
10 entities or educational institutions, those that have as a
11 principal officer of the entity’s governing board or gov-
12 erning board of trustees any individual that has been de-
13 termined to be involved in, or advocating terrorist activity
14 or determined to be a member of a designated foreign ter-
15 rorist organization: *Provided*, That the Secretary of State
16 shall, as appropriate, establish procedures specifying the
17 steps to be taken in carrying out this subsection and shall
18 terminate assistance to any individual, entity, or edu-
19 cational institution which the Secretary has determined to
20 be involved in or advocating terrorist activity.

21 (c) PROHIBITION.—

22 (1) RECOGNITION OF ACTS OF TERRORISM.—
23 None of the funds appropriated under titles III
24 through VI of this Act for assistance under the West
25 Bank and Gaza Program may be made available for

1 the purpose of recognizing or otherwise honoring in-
2 dividuals who commit, or have committed acts of
3 terrorism.

4 (2) SECURITY ASSISTANCE AND REPORTING RE-
5 QUIREMENT.—Notwithstanding any other provision
6 of law, none of the funds made available by this or
7 prior appropriations Acts, including funds made
8 available by transfer, may be made available for obli-
9 gation for security assistance for the West Bank and
10 Gaza until the Secretary of State reports to the
11 Committees on Appropriations on the benchmarks
12 that have been established for security assistance for
13 the West Bank and Gaza and reports on the extent
14 of Palestinian compliance with such benchmarks.

15 (d) AUDITS BY THE UNITED STATES AGENCY FOR
16 INTERNATIONAL DEVELOPMENT.—

17 (1) The Administrator of the United States
18 Agency for International Development shall ensure
19 that Federal or non-Federal audits of all contractors
20 and grantees, and significant subcontractors and
21 sub-grantees, under the West Bank and Gaza Pro-
22 gram, are conducted at least on an annual basis to
23 ensure, among other things, compliance with this
24 section.

1 (2) Of the funds appropriated by this Act up to
2 \$500,000 may be used by the Office of Inspector
3 General of the United States Agency for Inter-
4 national Development for audits, inspections, and
5 other activities in furtherance of the requirements of
6 this subsection: *Provided*, That such funds are in ad-
7 dition to funds otherwise available for such pur-
8 poses.

9 (e) COMPTROLLER GENERAL OF THE UNITED
10 STATES AUDIT.—Subsequent to the certification specified
11 in subsection (a), the Comptroller General of the United
12 States shall conduct an audit and an investigation of the
13 treatment, handling, and uses of all funds for the bilateral
14 West Bank and Gaza Program, including any funds pro-
15 vided as cash transfer assistance, in fiscal year 2018
16 under the heading “Economic Support Fund”, and such
17 audit shall address—

18 (1) the extent to which such Program complies
19 with the requirements of subsections (b) and (c);
20 and

21 (2) an examination of all programs, projects,
22 and activities carried out under such Program, in-
23 cluding both obligations and expenditures.

24 (f) NOTIFICATION PROCEDURES.—Funds made
25 available in this Act for West Bank and Gaza shall be

1 subject to the regular notification procedures of the Com-
2 mittees on Appropriations.

3 (g) REPORT.—Not later than 180 days after enact-
4 ment of this Act, the Secretary of State shall submit a
5 report to the Committees on Appropriations updating the
6 report contained in section 2106 of chapter 2 of title II
7 of the Emergency Supplemental Appropriations Act for
8 Defense, the Global War on Terror, and Tsunami Relief,
9 2005 (Public Law 109–13).

10 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN

11 AUTHORITY

12 SEC. 7040. (a) PROHIBITION OF FUNDS.—None of
13 the funds appropriated by this Act to carry out the provi-
14 sions of chapter 4 of part II of the Foreign Assistance
15 Act of 1961 may be obligated or expended with respect
16 to providing funds to the Palestinian Authority.

17 (b) WAIVER.—The prohibition included in subsection
18 (a) shall not apply if the President certifies in writing to
19 the Speaker of the House of Representatives, the Presi-
20 dent pro tempore of the Senate, and the Committees on
21 Appropriations that waiving such prohibition is important
22 to the national security interest of the United States.

23 (c) PERIOD OF APPLICATION OF WAIVER.—Any
24 waiver pursuant to subsection (b) shall be effective for no

1 more than a period of 6 months at a time and shall not
2 apply beyond 12 months after the enactment of this Act.

3 (d) REPORT.—Whenever the waiver authority pursu-
4 ant to subsection (b) is exercised, the President shall sub-
5 mit a report to the Committees on Appropriations detail-
6 ing the justification for the waiver, the purposes for which
7 the funds will be spent, and the accounting procedures in
8 place to ensure that the funds are properly disbursed: *Pro-*
9 *vided*, That the report shall also detail the steps the Pales-
10 tinian Authority has taken to arrest terrorists, confiscate
11 weapons and dismantle the terrorist infrastructure.

12 (e) CERTIFICATION.—If the President exercises the
13 waiver authority under subsection (b), the Secretary of
14 State must certify and report to the Committees on Ap-
15 propriations prior to the obligation of funds that the Pal-
16 estinian Authority has established a single treasury ac-
17 count for all Palestinian Authority financing and all fi-
18 nancing mechanisms flow through this account, no parallel
19 financing mechanisms exist outside of the Palestinian Au-
20 thority treasury account, and there is a single comprehen-
21 sive civil service roster and payroll, and the Palestinian
22 Authority is acting to counter incitement of violence
23 against Israelis and is supporting activities aimed at pro-
24 moting peace, coexistence, and security cooperation with
25 Israel.

1 (f) PROHIBITION TO HAMAS AND THE PALESTINE
2 LIBERATION ORGANIZATION.—

3 (1) None of the funds appropriated in titles III
4 through VI of this Act may be obligated for salaries
5 of personnel of the Palestinian Authority located in
6 Gaza or may be obligated or expended for assistance
7 to Hamas or any entity effectively controlled by
8 Hamas, any power-sharing government of which
9 Hamas is a member, or that results from an agree-
10 ment with Hamas.

11 (2) Notwithstanding the limitation of paragraph
12 (1), assistance may be provided to a power-sharing
13 government only if the President certifies and re-
14 ports to the Committees on Appropriations that such
15 government, including all of its ministers or such
16 equivalent, has publicly accepted and is complying
17 with the principles contained in section 620K(b)(1)
18 (A) and (B) of the Foreign Assistance Act of 1961,
19 as amended.

20 (3) The President may exercise the authority in
21 section 620K(e) of the Foreign Assistance Act of
22 1961, as added by the Palestinian Anti-Terrorism
23 Act of 2006 (Public Law 109–446) with respect to
24 this subsection.

1 (4) Whenever the certification pursuant to
2 paragraph (2) is exercised, the Secretary of State
3 shall submit a report to the Committees on Appro-
4 priations within 120 days of the certification and
5 every quarter thereafter on whether such govern-
6 ment, including all of its ministers or such equiva-
7 lent are continuing to comply with the principles
8 contained in section 620K(b)(1) (A) and (B) of the
9 Foreign Assistance Act of 1961, as amended: *Pro-*
10 *vided*, That the report shall also detail the amount,
11 purposes and delivery mechanisms for any assistance
12 provided pursuant to the abovementioned certifi-
13 cation and a full accounting of any direct support of
14 such government.

15 (5) None of the funds appropriated under titles
16 III through VI of this Act may be obligated for as-
17 sistance for the Palestine Liberation Organization.

18 MIDDLE EAST AND NORTH AFRICA

19 SEC. 7041. (a) EGYPT.—

20 (1) CERTIFICATION AND REPORT.—Funds ap-
21 propriated by this Act that are available for assist-
22 ance for Egypt may be made available notwith-
23 standing any other provision of law restricting as-
24 sistance for Egypt, except for this subsection and
25 section 620M of the Foreign Assistance Act of 1961,

1 and may only be made available for assistance for
2 the Government of Egypt if the Secretary of State
3 certifies and reports to the Committees on Appro-
4 priations that such government is—

5 (A) sustaining the strategic relationship
6 with the United States; and

7 (B) meeting its obligations under the 1979
8 Egypt-Israel Peace Treaty.

9 (2) REPORT ON GOVERNANCE.—

10 (A) Not later than 90 days after enact-
11 ment of this Act and every 90 days thereafter
12 until September 30, 2018, the Secretary of
13 State shall report to the appropriate congres-
14 sional committees on steps taken by the Gov-
15 ernment of Egypt to—

16 (i) advance democracy and human
17 rights in Egypt, including to govern demo-
18 cratically and protect the rights of reli-
19 gious minorities and women;

20 (ii) implement reforms that protect
21 freedoms of expression, association, and
22 peaceful assembly, including the ability of
23 civil society organizations and the media to
24 function without interference; and

1 (iii) improve the transparency and ac-
2 countability of security forces.

3 (B) The report required by subparagraph
4 (A) may be provided in classified form if nec-
5 essary.

6 (3) ECONOMIC SUPPORT FUND.—

7 (A) FUNDING.—Of the funds appropriated
8 by this Act under the heading “Economic Sup-
9 port Fund”, not less than \$150,000,000 shall
10 be made available for assistance for Egypt, sub-
11 ject to prior consultation with the appropriate
12 congressional committees and the regular notifi-
13 cation procedures of the Committees on Appro-
14 priations and section 634A of the Foreign As-
15 sistance Act of 1961: *Provided*, That such
16 funds may be made available for democracy
17 programs and for development programs in the
18 Sinai: *Provided further*, That such funds may
19 not be made available for cash transfer assist-
20 ance or budget support unless the Secretary of
21 State certifies and reports to the appropriate
22 congressional committees that the Government
23 of Egypt is taking consistent and effective steps
24 to stabilize the economy and implement market-
25 based economic reforms.

1 (B) WITHHOLDING.—The Secretary of
2 State shall withhold from obligation funds ap-
3 propriated by this Act under the heading “Eco-
4 nomic Support Fund” for assistance for Egypt,
5 an amount of such funds that the Secretary de-
6 termines to be equivalent to that expended by
7 the United States Government for bail, and by
8 nongovernmental organizations for legal and
9 court fees, associated with democracy-related
10 trials in Egypt until the Secretary certifies and
11 reports to the Committees on Appropriations
12 that the Government of Egypt has dismissed
13 the convictions issued by the Cairo Criminal
14 Court on June 4, 2013, in “Public Prosecution
15 Case No. 1110 for the Year 2012”.

16 (4) FOREIGN MILITARY FINANCING PRO-
17 GRAM.—Of the funds appropriated by this Act under
18 the heading “Foreign Military Financing Program”,
19 \$1,300,000,000, to remain available until September
20 30, 2019, shall be made available for assistance for
21 Egypt, which may be transferred to an interest bear-
22 ing account in the Federal Reserve Bank of New
23 York, following consultation with the Committees on
24 Appropriations.

1 (5) CONSULTATION REQUIREMENTS.—Not later
2 than 90 days after enactment of this Act, the Sec-
3 retary of State shall consult with the Committees on
4 Appropriations on any plan to restructure military
5 assistance for Egypt.

6 (b) IRAN.—

7 (1) FUNDING.—Funds appropriated by this Act
8 under the headings “Diplomatic and Consular Pro-
9 grams”, “Economic Support Fund”, and “Non-
10 proliferation, Anti-terrorism, Demining and Related
11 Programs” shall be used by the Secretary of State—

12 (A) to support the United States policy to
13 prevent Iran from achieving the capability to
14 produce or otherwise obtain a nuclear weapon;

15 (B) to support an expeditious response to
16 any violation of the Joint Comprehensive Plan
17 of Action or United Nations Security Council
18 Resolution 2231;

19 (C) to support the implementation and en-
20 forcement of sanctions against Iran for support
21 of terrorism, human rights abuses, and ballistic
22 missile and weapons proliferation; and

23 (D) for democracy programs for Iran, to
24 be administered by the Assistant Secretary for
25 Near Eastern Affairs, Department of State, in

1 consultation with the Assistant Secretary for
2 Democracy, Human Rights, and Labor, Depart-
3 ment of State.

4 (2) CONTINUATION OF PROHIBITION.—The
5 terms and conditions of paragraph (2) of section
6 7041(c) in division I of Public Law 112–74 shall
7 continue in effect during fiscal year 2018.

8 (3) REPORTS.—

9 (A) The Secretary of State shall submit to
10 the Committees on Appropriations the semi-an-
11 nual report required by section 2 of the Iran
12 Nuclear Agreement Review Act of 2015 (42
13 U.S.C. 2160e(d)(4)).

14 (B) Not later than 180 days after the date
15 of enactment of this Act, the Secretary of
16 State, in consultation with the Secretary of the
17 Treasury, shall submit to the appropriate con-
18 gressional committees a report on the status of
19 the implementation and enforcement of bilateral
20 United States and multilateral sanctions
21 against Iran and actions taken by the United
22 States and the international community to en-
23 force such sanctions against Iran: *Provided*,
24 That the report shall also include any entities
25 involved in providing significant support for the

1 development of a ballistic missile by the Govern-
2 ment of Iran after October 1, 2015, including
3 shipping and financing, and note whether such
4 entities are currently under United States sanc-
5 tions: *Provided further*, That such report shall
6 be submitted in an unclassified form, but may
7 contain a classified annex if necessary.

8 (c) IRAQ.—

9 (1) PURPOSES.—Funds appropriated by this
10 Act shall be made available for assistance for Iraq
11 to promote governance, security, and internal and
12 regional stability, including in the Kurdistan Region
13 of Iraq and other areas impacted by the conflict in
14 Syria, and among religious and ethnic minority pop-
15 ulations in Iraq.

16 (2) EXPLOSIVE ORDNANCE DISPOSAL PRO-
17 GRAMS.—Funds appropriated by this Act under the
18 heading “Nonproliferation, Anti-terrorism, Demining
19 and Related Programs” shall be made available for
20 explosive ordnance disposal programs in areas liber-
21 ated from extremist organizations in Iraq.

22 (3) KURDISTAN REGION.—

23 (A) Funds appropriated by this Act under
24 the headings “International Narcotics Control
25 and Law Enforcement” and “Foreign Military

1 Financing Program” that are available for as-
2 sistance for Iraq shall be made available to en-
3 hance the capacity of Kurdistan Regional Gov-
4 ernment security services and for security pro-
5 grams in the Kurdistan Region of Iraq to ad-
6 dress requirements arising from the violence in
7 Syria and Iraq: *Provided*, That the Secretary of
8 State shall consult with the Committees on Ap-
9 propriations prior to obligating such funds.

10 (B) Funds appropriated by this Act under
11 the headings “International Disaster Assist-
12 ance” and “Migration and Refugee Assistance”
13 should be made available for assistance for the
14 Kurdistan Region of Iraq to address the needs
15 of internally displaced persons (IDPs) and refu-
16 gees: *Provided*, That funds appropriated by this
17 Act under the heading “Economic Support
18 Fund” shall be made available for programs to
19 mitigate the impact of such IDPs and refugees
20 in such Region, including for assistance for
21 communities hosting such persons.

22 (4) BASING RIGHTS AGREEMENT.—None of the
23 funds appropriated or otherwise made available by
24 this Act may be used by the Government of the
25 United States to enter into a permanent basing

1 rights agreement between the United States and
2 Iraq.

3 (d) JORDAN.—Of the funds appropriated by this Act
4 under titles III and IV, not less than \$1,280,000,000 shall
5 be made available for assistance for Jordan, of which not
6 less than \$475,000,000 shall be for budget support for
7 the Government of Jordan.

8 (e) LEBANON.—

9 (1) LIMITATION.—None of the funds appro-
10 priated by this Act may be made available for the
11 Lebanese Internal Security Forces (ISF) or the Leb-
12 anese Armed Forces (LAF) if the ISF or the LAF
13 is controlled by a foreign terrorist organization, as
14 designated pursuant to section 219 of the Immigra-
15 tion and Nationality Act (8 U.S.C. 1189).

16 (2) CONSULTATION REQUIREMENT.—Funds ap-
17 propriated by this Act under the headings “Inter-
18 national Narcotics Control and Law Enforcement”
19 and “Foreign Military Financing Program” that are
20 available for assistance for Lebanon may be made
21 available for programs and equipment for the ISF
22 and the LAF to address security and stability re-
23 quirements in areas affected by the conflict in Syria,
24 following consultation with the appropriate congres-
25 sional committees.

1 (3) FOREIGN MILITARY FINANCING PRO-
2 GRAM.—In addition to the activities described in
3 paragraph (2), funds appropriated by this Act under
4 the heading “Foreign Military Financing Program”
5 for assistance for Lebanon may be made available
6 only to professionalize the LAF and to strengthen
7 border security and combat terrorism, including
8 training and equipping the LAF to secure Lebanon’s
9 borders, interdicting arms shipments, preventing the
10 use of Lebanon as a safe haven for terrorist groups,
11 and to implement United Nations Security Council
12 Resolution 1701: *Provided*, That funds may not be
13 obligated for assistance for the LAF until the Sec-
14 retary of State submits to the Committees on Appro-
15 priations a spend plan, including actions to be taken
16 to ensure equipment provided to the LAF is only
17 used for the intended purposes, except such plan
18 may not be considered as meeting the notification
19 requirements under section 7015 of this Act or
20 under section 634A of the Foreign Assistance Act of
21 1961, and shall be submitted not later than Sep-
22 tember 1, 2018: *Provided further*, That any notifica-
23 tion submitted pursuant to such sections shall in-
24 clude any funds specifically intended for lethal mili-
25 tary equipment.

1 (f) LIBYA.—

2 (1) LIMITATION.—None of the funds appro-
3 priated by this Act may be made available for assist-
4 ance for the central Government of Libya unless the
5 Secretary of State certifies and reports to the Com-
6 mittees on Appropriations that such government is
7 cooperating with United States Government efforts
8 to investigate and bring to justice those responsible
9 for the attack on United States personnel and facili-
10 ties in Benghazi, Libya in September 2012: *Pro-*
11 *vided*, That the limitation in this paragraph shall
12 not apply to funds made available for the purpose of
13 protecting United States Government personnel or
14 facilities.

15 (2) CERTIFICATION REQUIREMENT.—Prior to
16 the initial obligation of funds made available by this
17 Act for assistance for Libya, the Secretary of State
18 shall certify and report to the Committees on Appro-
19 priations that all practicable steps have been taken
20 to ensure that mechanisms are in place for moni-
21 toring, oversight, and control of funds made avail-
22 able by this subsection for assistance for Libya.

23 (3) REPORTING REQUIREMENT.—The Secretary
24 of State shall promptly inform the appropriate con-
25 gressional committees of each instance in which as-

1 sistance provided pursuant to this subsection has
2 been diverted or destroyed, to include the type and
3 amount of assistance, a description of the incident
4 and parties involved, and an explanation of the re-
5 sponse of the Department of State.

6 (g) MOROCCO.—Funds appropriated under title III
7 of this Act that are made available for assistance for Mo-
8 rocco shall also be made available for assistance for any
9 region or territory administered by Morocco, including the
10 Western Sahara: *Provided*, That not later than 45 days
11 after enactment of this Act and prior to the obligation of
12 such funds, the Secretary of State, in consultation with
13 the Administrator of the United States Agency for Inter-
14 national Development, shall consult with the Committees
15 on Appropriations on the proposed uses of such funds
16 based on the requirements described under this section in
17 the report accompanying this Act.

18 (h) REFUGEE ASSISTANCE IN NORTH AFRICA.—The
19 Secretary of State, in consultation with the United Na-
20 tions High Commissioner for Refugees and the Executive
21 Director of the World Food Programme, shall take all
22 practicable steps to strengthen monitoring of the delivery
23 of humanitarian assistance provided for refugees in North
24 Africa, including the establishment of registration systems

1 where they do not exist and any other efforts to ensure
2 that all vulnerable refugees are receiving such assistance.

3 (i) STRATEGY REQUIREMENT.—Not later than 60
4 days after enactment of this Act, the Secretary of State,
5 in consultation with the Secretary of Defense, shall submit
6 to the appropriate congressional committees a strategy for
7 United States engagement in North Africa, which shall in-
8 clude detailed information on how diplomatic engagement
9 and assistance will be prioritized for such region, including
10 to address economic and security needs.

11 (j) SYRIA.—

12 (1) NON-LETHAL ASSISTANCE.—Funds appro-
13 priated under title III of this Act shall be made
14 available, to the extent practicable and notwith-
15 standing any other provision of law, for non-lethal
16 assistance for programs to address the needs of civil-
17 ians affected by conflict in Syria, and for programs
18 that seek to—

19 (A) establish governance in Syria that is
20 representative, inclusive, and accountable;

21 (B) empower women through political and
22 economic programs, and address the psycho-
23 social needs of women and their families in
24 Syria and neighboring countries;

1 (C) develop and implement political proc-
2 esses that are democratic, transparent, and
3 strengthen the rule of law;

4 (D) further the legitimacy and viability of
5 the Syrian opposition through cross-border pro-
6 grams;

7 (E) develop and sustain civil society and
8 independent media in Syria;

9 (F) promote stability and economic devel-
10 opment in Syria;

11 (G) document, investigate, and prosecute
12 human rights violations in Syria, including
13 through transitional justice programs and sup-
14 port for nongovernmental organizations;

15 (H) expand the role of women in negotia-
16 tions to end the violence and in any political
17 transition in Syria;

18 (I) assist Syrian refugees whose education
19 has been interrupted by the ongoing conflict to
20 complete higher education requirements at uni-
21 versities and other academic institutions in the
22 region, and through distance learning;

23 (J) assist vulnerable populations in Syria
24 and in neighboring countries;

1 (K) protect and preserve the cultural iden-
2 tity of the people of Syria as a counterbalance
3 to extremism, particularly those living in neigh-
4 boring countries and among youth;

5 (L) protect and preserve cultural heritage
6 sites in Syria, particularly those damaged and
7 destroyed by extremists; and

8 (M) counter extremism in Syria.

9 (2) STRATEGY UPDATE.—Funds appropriated
10 by this Act that are made available for assistance for
11 Syria pursuant to the authority of this subsection
12 may only be made available after the Secretary of
13 State, in consultation with the heads of relevant
14 United States Government agencies, submits, in
15 classified form if necessary, an update to the com-
16 prehensive strategy required in section 7041(i)(3) of
17 Public Law 113–76.

18 (3) MONITORING AND OVERSIGHT.—Prior to
19 the obligation of funds appropriated by this Act and
20 made available for assistance for Syria, the Sec-
21 retary of State shall take all practicable steps to en-
22 sure that mechanisms are in place for monitoring,
23 oversight, and control of such assistance inside
24 Syria: *Provided*, That the Secretary shall promptly
25 inform the appropriate congressional committees of

1 each instance in which assistance provided pursuant
2 to this subsection has been diverted or destroyed, to
3 include the type and amount of assistance, a descrip-
4 tion of the incident and parties involved, and an ex-
5 planation of the response of the Department of
6 State.

7 (4) CONSULTATION AND NOTIFICATION.—
8 Funds made available pursuant to this subsection
9 may only be made available following consultation
10 with the appropriate congressional committees, and
11 shall be subject to the regular notification proce-
12 dures of the Committees on Appropriations.

13 (k) TUNISIA.—Of the funds appropriated under titles
14 III and IV of this Act, not less than \$165,400,000 shall
15 be made available for assistance for Tunisia.

16 (l) WEST BANK AND GAZA.—

17 (1) REPORT ON ASSISTANCE.—Prior to the ini-
18 tial obligation of funds made available by this Act
19 under the heading “Economic Support Fund” for
20 assistance for the West Bank and Gaza, the Sec-
21 retary of State shall report to the Committees on
22 Appropriations that the purpose of such assistance
23 is to—

24 (A) advance Middle East peace;

25 (B) improve security in the region;

1 (C) continue support for transparent and
2 accountable government institutions;

3 (D) promote a private sector economy; or

4 (E) address urgent humanitarian needs.

5 (2) LIMITATIONS.—

6 (A) None of the funds appropriated under
7 the heading “Economic Support Fund” in this
8 Act may be made available for assistance for
9 the Palestinian Authority, if after the date of
10 enactment of this Act—

11 (i) the Palestinians obtain the same
12 standing as member states or full member-
13 ship as a state in the United Nations or
14 any specialized agency thereof outside an
15 agreement negotiated between Israel and
16 the Palestinians; or

17 (ii) the Palestinians initiate an Inter-
18 national Criminal Court (ICC) judicially au-
19 thorized investigation, or actively support such
20 an investigation, that subjects Israeli nationals
21 to an investigation for alleged crimes against
22 Palestinians.

23 (B)(i) The President may waive the provi-
24 sions of section 1003 of the Foreign Relations
25 Authorization Act, Fiscal Years 1988 and 1989

1 (Public Law 100–204) if the President deter-
2 mines and certifies in writing to the Speaker of
3 the House of Representatives, the President pro
4 tempore of the Senate, and the appropriate con-
5 gressional committees that the Palestinians
6 have not, after the date of enactment of this
7 Act—

8 (I) obtained in the United Nations or
9 any specialized agency thereof the same
10 standing as member states or full member-
11 ship as a state outside an agreement nego-
12 tiated between Israel and the Palestinians;
13 and

14 (II) initiated or actively supported an
15 ICC investigation against Israeli nationals
16 for alleged crimes against Palestinians.

17 (ii) Not less than 90 days after the Presi-
18 dent is unable to make the certification pursu-
19 ant to clause (i) of this subparagraph, the
20 President may waive section 1003 of Public
21 Law 100–204 if the President determines and
22 certifies in writing to the Speaker of the House
23 of Representatives, the President pro tempore
24 of the Senate, and the Committees on Appro-
25 priations that the Palestinians have entered

1 into direct and meaningful negotiations with
2 Israel: *Provided*, That any waiver of the provi-
3 sions of section 1003 of Public Law 100–204
4 under clause (i) of this subparagraph or under
5 previous provisions of law must expire before
6 the waiver under the preceding sentence may be
7 exercised.

8 (iii) Any waiver pursuant to this subpara-
9 graph shall be effective for no more than a pe-
10 riod of 6 months at a time and shall not apply
11 beyond 12 months after the enactment of this
12 Act.

13 (3) REDUCTION.—The Secretary of State shall
14 reduce the amount of assistance made available by
15 this Act under the heading “Economic Support
16 Fund” for the Palestinian Authority by an amount
17 the Secretary determines is equivalent to the amount
18 expended by the Palestinian Authority, the Palestine
19 Liberation Organization, and any successor or affili-
20 ated organizations with such entities for payments
21 to individuals and the families of such individuals
22 who are imprisoned for acts of terrorism or who died
23 committing such acts during the previous calendar
24 year: *Provided*, That the Secretary shall report to
25 the appropriate congressional committees on the

1 amount reduced for fiscal year 2018 prior to the ob-
2 ligation of funds for the Palestinian Authority: *Pro-*
3 *vided further*, That the report required by the pre-
4 vious proviso shall also include steps taken to pre-
5 vent any such payments.

6 (4) SECURITY REPORT.—The reporting require-
7 ments contained in section 1404 of the Supple-
8 mental Appropriations Act, 2008 (Public Law 110–
9 252) shall apply to funds made available by this Act,
10 including a description of modifications, if any, to
11 the security strategy of the Palestinian Authority.

12 (5) INCITEMENT REPORT.—Not later than 90
13 days after enactment of this Act, the Secretary of
14 State shall submit a report to the appropriate con-
15 gressional committees detailing steps taken by the
16 Palestinian Authority to counter incitement of vio-
17 lence against Israelis and to promote peace and co-
18 existence with Israel.

19 AFRICA

20 SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-
21 SISTANCE RESTRICTION.—Funds appropriated by this Act
22 under the heading “International Military Education and
23 Training” for the central government of a country in the
24 African Great Lakes region may be made available only
25 for Expanded International Military Education and Train-

1 ing and professional military education until the Secretary
2 of State determines and reports to the Committees on Ap-
3 propriations that such government is not facilitating or
4 otherwise participating in destabilizing activities in a
5 neighboring country, including aiding and abetting armed
6 groups.

7 (b) BOKO HARAM.—Funds appropriated by this Act
8 that are made available for assistance for Cameroon,
9 Chad, Niger, and Nigeria—

10 (1) shall be made available for assistance for
11 women and girls who are targeted by the terrorist
12 organization Boko Haram, consistent with the provi-
13 sions of section 7059 of this Act, and for individuals
14 displaced by Boko Haram violence; and

15 (2) may be made available for counterterrorism
16 programs to combat Boko Haram.

17 (c) CENTRAL AFRICAN REPUBLIC.—Funds made
18 available by this Act for assistance for the Central African
19 Republic shall be made available for reconciliation and
20 peacebuilding programs, including activities to promote
21 inter-faith dialogue at the national and local levels, and
22 for programs to prevent crimes against humanity.

23 (d) LORD’S RESISTANCE ARMY.—Funds appro-
24 priated by this Act shall be made available for programs
25 and activities in areas affected by the Lord’s Resistance

1 Army (LRA) consistent with the goals of the Lord's Re-
2 sistance Army Disarmament and Northern Uganda Recov-
3 ery Act (Public Law 111–172), including to improve phys-
4 ical access, telecommunications infrastructure, and early-
5 warning mechanisms and to support the disarmament, de-
6 mobilization, and reintegration of former LRA combat-
7 ants, especially child soldiers.

8 (e) MALAWI.—Of the funds appropriated by this Act
9 under the heading “Development Assistance”, not less
10 than \$56,000,000 shall be made available for assistance
11 for Malawi, of which \$10,000,000 shall be made available
12 for higher education programs.

13 (f) SOUTH SUDAN.—

14 (1) STRATEGY UPDATE.—Not later than 60
15 days after enactment of this Act the Secretary of
16 State, in consultation with the Administrator of the
17 United States Agency for International Develop-
18 ment, shall submit an update to the strategy re-
19 quired in section 7042(i) of the Department of
20 State, Foreign Operations, and Related Programs
21 Appropriations Act, 2017 (division J of Public Law
22 115–31).

23 (2) CERTIFICATION.—None of the funds appro-
24 priated by this Act that are available for assistance
25 for the central Government of South Sudan may be

1 made available until the Secretary of State certifies
2 and reports to the Committees on Appropriations
3 that such government is taking effective steps to—

4 (A) end hostilities and pursue good faith
5 negotiations for a political settlement of the
6 conflict;

7 (B) provide access for humanitarian orga-
8 nizations;

9 (C) end the recruitment and use of child
10 soldiers;

11 (D) protect freedoms of expression, asso-
12 ciation, and assembly;

13 (E) reduce corruption related to the ex-
14 traction and sale of oil and gas;

15 (F) establish democratic institutions;

16 (G) establish accountable military and po-
17 lice forces under civilian authority; and

18 (H) investigate and prosecute individuals
19 credibly alleged to have committed gross viola-
20 tions of human rights, including at the Terrain
21 compound in Juba, South Sudan on July 11,
22 2016.

23 (3) EXCLUSIONS.—The limitation of paragraph
24 (2) shall not apply to—

25 (A) humanitarian assistance;

1 (B) assistance to support South Sudan
2 peace negotiations or to advance or implement
3 a peace agreement; and

4 (C) assistance to support implementation
5 of outstanding issues of the Comprehensive
6 Peace Agreement and mutual arrangements re-
7 lated to such Agreement.

8 (4) CONSULTATION.—Prior to the initial obliga-
9 tion of funds made available for the central Govern-
10 ment of South Sudan pursuant to paragraphs (3)(B)
11 and (C), the Secretary of State shall consult with
12 the Committees on Appropriations on the intended
13 uses of such funds, steps taken by such government
14 to advance or implement a peace agreement, and
15 progress made by the Government of South Sudan
16 in meeting the requirements in paragraph (2).

17 (g) SUDAN.—

18 (1) LIMITATION.—Notwithstanding any other
19 provision of law, none of the funds appropriated by
20 this Act may be made available for assistance for the
21 Government of Sudan.

22 (2) LIMITATION ON LOANS.—None of the funds
23 appropriated by this Act may be made available for
24 the cost, as defined in section 502 of the Congres-
25 sional Budget Act of 1974, of modifying loans and

1 loan guarantees held by the Government of Sudan,
2 including the cost of selling, reducing, or canceling
3 amounts owed to the United States, and modifying
4 concessional loans, guarantees, and credit agree-
5 ments.

6 (3) EXCLUSIONS.—The limitations of para-
7 graphs (1) and (2) shall not apply to—

8 (A) humanitarian assistance;

9 (B) assistance for democracy programs;

10 (C) assistance for the Darfur region,
11 Southern Kordofan State, Blue Nile State,
12 other marginalized areas and populations in
13 Sudan, and Abyei; and

14 (D) assistance to support implementation
15 of outstanding issues of the Comprehensive
16 Peace Agreement, mutual arrangements related
17 to post-referendum issues associated with such
18 Agreement, or any other internationally recog-
19 nized viable peace agreement in Sudan.

20 (h) ZIMBABWE.—

21 (1) INSTRUCTION.—The Secretary of the Treas-
22 ury shall instruct the United States executive direc-
23 tor of each international financial institution to vote
24 against any extension by the respective institution of
25 any loan or grant to the Government of Zimbabwe,

1 except to meet basic human needs or to promote de-
2 mocracy, unless the Secretary of State certifies and
3 reports to the Committees on Appropriations that
4 the rule of law has been restored, including respect
5 for ownership and title to property, and freedoms of
6 expression, association, and assembly.

7 (2) LIMITATIONS.—None of the funds appro-
8 priated by this Act shall be made available for as-
9 sistance for the central Government of Zimbabwe,
10 except for health and education, unless the Secretary
11 of State certifies and reports as required in para-
12 graph (1), and funds may be made available for
13 macroeconomic growth assistance if the Secretary
14 reports to the Committees on Appropriations that
15 such government is implementing transparent fiscal
16 policies, including public disclosure of revenues from
17 the extraction of natural resources.

18 EAST ASIA AND THE PACIFIC

19 SEC. 7043.

20 (a) BURMA.—

21 (1) BILATERAL ECONOMIC ASSISTANCE.—

22 (A) Funds appropriated by this Act under
23 the heading “Economic Support Fund” for as-
24 sistance for Burma may be made available not-
25 withstanding any other provision of law, except

1 for this subsection, and following consultation
2 with the appropriate congressional committees.

3 (B) Funds appropriated under title III of
4 this Act for assistance for Burma—

5 (i) shall be made available to
6 strengthen civil society organizations in
7 Burma and for programs to strengthen
8 independent media;

9 (ii) shall be made available for com-
10 munity-based organizations operating in
11 Thailand to provide food, medical, and
12 other humanitarian assistance to internally
13 displaced persons in eastern Burma, in ad-
14 dition to assistance for Burmese refugees
15 from funds appropriated by this Act under
16 the heading “Migration and Refugee As-
17 sistance”;

18 (iii) shall be made available for pro-
19 grams to promote ethnic and religious tol-
20 erance, including in Rakhine and Kachin
21 states;

22 (iv) shall be made available to pro-
23 mote rural economic development in
24 Burma, including through microfinance

1 and sustainable power generation pro-
2 grams;

3 (v) shall be made available to increase
4 opportunities for foreign direct investment
5 by strengthening the rule of law, trans-
6 parency, and accountability;

7 (vi) may not be made available to any
8 individual or organization if the Secretary
9 of State has credible information that such
10 individual or organization has committed a
11 gross violation of human rights, including
12 against Rohingya and other minority
13 groups, or that advocates violence against
14 ethnic or religious groups and individuals
15 in Burma;

16 (vii) may not be made available to any
17 organization or entity controlled by the
18 military of Burma; and

19 (viii) may be made available for pro-
20 grams administered by the Office of Tran-
21 sition Initiatives, United States Agency for
22 International Development, for ethnic
23 groups and civil society in Burma to help
24 sustain ceasefire agreements and further
25 prospects for reconciliation and peace,

1 which may include support to representa-
2 tives of ethnic armed groups for this pur-
3 pose.

4 (2) INTERNATIONAL SECURITY ASSISTANCE.—

5 None of the funds appropriated by this Act under
6 the headings “International Military Education and
7 Training” and “Foreign Military Financing Pro-
8 gram” may be made available for assistance for
9 Burma: *Provided*, That the Department of State
10 may continue consultations with the armed forces of
11 Burma only on human rights and disaster response
12 in a manner consistent with the prior fiscal year,
13 and following consultation with the appropriate con-
14 gressional committees.

15 (3) PROGRAMS, POSITION, AND RESPONSIBIL-
16 ITIES.—

17 (A) Any new program or activity in Burma
18 initiated in fiscal year 2017 shall be subject to
19 prior consultation with the appropriate congres-
20 sional committees.

21 (B) Section 7043(b)(7) of the Department
22 of State, Foreign Operations, and Related Pro-
23 grams Appropriations Act, 2015 (division J of
24 Public Law 113–235) shall continue in effect
25 during fiscal year 2018.

1 (b) CAMBODIA.—

2 (1) CONDITIONS ON ASSISTANCE.—Of the funds
3 appropriated in title IV of this Act that are made
4 available for assistance for the central Government
5 of Cambodia, 25 percent shall be withheld from obli-
6 gation until the Secretary of State certifies and re-
7 ports to the Committees on Appropriations that such
8 government—

9 (A) is taking effective steps to strengthen
10 regional security and stability, particularly re-
11 garding territorial disputes in the South China
12 Sea;

13 (B) has ceased efforts to intimidate civil
14 society and the political opposition in Cam-
15 bodia, is credibly investigating the murder of
16 social and political activists, and is taking ac-
17 tions to address the concerns detailed in the
18 September 14, 2016 United Nations Human
19 Rights Situation in Cambodia—Joint State-
20 ment; and

21 (C) is supporting the conduct of free and
22 fair elections in Cambodia through a non-par-
23 tisan election commission; fair election proc-
24 esses; credible post-election dispute resolution
25 mechanisms; open and inclusive participation,

1 to include the return of exiled former opposition
2 leaders; and respect for freedoms of assembly
3 and speech.

4 (2) KHMER ROUGE TRIBUNAL.—Funds appro-
5 priated by this Act that are made available for as-
6 sistance for Cambodia may only be made available
7 for a contribution to the Extraordinary Chambers in
8 the Court of Cambodia if the Secretary of State cer-
9 tifies and reports to the appropriate congressional
10 committees that such contribution is in the national
11 interest of the United States and will support the
12 prosecution and punishment of individuals respon-
13 sible for genocide in Cambodia in a credible manner.

14 (c) NORTH KOREA.—

15 (1) BROADCASTS.—Funds appropriated by this
16 Act under the heading “International Broadcasting
17 Operations” shall be made available to maintain
18 broadcasting hours into North Korea at levels not
19 less than the prior fiscal year.

20 (2) REFUGEES.—Funds appropriated by this
21 Act under the heading “Migration and Refugee As-
22 sistance” should be made available for assistance for
23 refugees from North Korea, including protection ac-
24 tivities in the People’s Republic of China and other
25 countries in Asia.

1 (3) LIMITATION ON USE OF FUNDS.—None of
2 the funds made available by this Act under the
3 heading “Economic Support Fund” may be made
4 available for assistance for the Government of North
5 Korea.

6 (d) PEOPLE’S REPUBLIC OF CHINA.—

7 (1) LIMITATION ON USE OF FUNDS.—None of
8 the funds appropriated under the heading “Diplo-
9 matic and Consular Programs” in this Act may be
10 obligated or expended for processing licenses for the
11 export of satellites of United States origin (including
12 commercial satellites and satellite components) to
13 the People’s Republic of China (PRC) unless, at
14 least 15 days in advance, the Committees on Appro-
15 priations are notified of such proposed action.

16 (2) PEOPLE’S LIBERATION ARMY.—The terms
17 and requirements of section 620(h) of the Foreign
18 Assistance Act of 1961 shall apply to foreign assist-
19 ance projects or activities of the People’s Liberation
20 Army (PLA) of the PRC, to include such projects or
21 activities by any entity that is owned or controlled
22 by, or an affiliate of, the PLA: *Provided*, That none
23 of the funds appropriated or otherwise made avail-
24 able pursuant to this Act may be used to finance
25 any grant, contract, or cooperative agreement with

1 the PLA, or any entity that the Secretary of State
2 has reason to believe is owned or controlled by, or
3 an affiliate of, the PLA.

4 (3) COUNTER INFLUENCE PROGRAMS.—Funds
5 appropriated by this Act for public diplomacy under
6 title I and for assistance under titles III and IV
7 shall be made available to counter the influence of
8 the PRC, in accordance with the strategy required
9 by section 7043(e)(3) of the Department of State,
10 Foreign Operations, and Related Programs Appro-
11 priations Act, 2014 (division K of Public Law 113–
12 76), following consultation with the Committees on
13 Appropriations.

14 (4) PROHIBITION.—

15 (A) None of the funds appropriated by this
16 Act under the headings “Global Health Pro-
17 grams”, “Development Assistance”, and “Eco-
18 nomic Support Fund” may be made available
19 for assistance for the Government of the Peo-
20 ple’s Republic of China.

21 (B) The limitation of subparagraph (A)
22 shall not apply to assistance described in para-
23 graph (2) of subsection (f) of this section and
24 for programs to detect, prevent, and treat infec-
25 tious disease.

1 (e) PHILIPPINES.—Prior to the initial obligation of
2 funds appropriated by this Act for assistance for the Phil-
3ippines, but not later than 180 days after enactment of
4 this Act, the Secretary of State shall submit a report to
5 the Committees on Appropriations, which shall include the
6 information required under this section in the report ac-
7 companying this Act.

8 (f) TIBET.—

9 (1) FINANCING OF PROJECTS IN TIBET.—The
10 Secretary of the Treasury should instruct the United
11 States executive director of each international finan-
12 cial institution to use the voice and vote of the
13 United States to support financing of projects in
14 Tibet if such projects do not provide incentives for
15 the migration and settlement of non-Tibetans into
16 Tibet or facilitate the transfer of ownership of Ti-
17 betan land and natural resources to non-Tibetans,
18 are based on a thorough needs-assessment, foster
19 self-sufficiency of the Tibetan people and respect Ti-
20 betan culture and traditions, and are subject to ef-
21 fective monitoring.

22 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

23 (A) Notwithstanding any other provision of
24 law, funds appropriated by this Act under the
25 heading “Economic Support Fund” shall be

1 made available to nongovernmental organiza-
2 tions to support activities which preserve cul-
3 tural traditions and promote sustainable devel-
4 opment, education, and environmental conserva-
5 tion in Tibetan communities in the Tibetan Au-
6 tonomous Region and in other Tibetan commu-
7 nities in China.

8 (B) Funds appropriated by this Act under
9 the heading “Economic Support Fund” shall be
10 made available for programs to promote and
11 preserve Tibetan culture, development, and the
12 resilience of Tibetan communities in India and
13 Nepal, and to assist in the education and devel-
14 opment of the next generation of Tibetan lead-
15 ers from such communities: *Provided*, That
16 such funds are in addition to amounts made
17 available in subparagraph (A) for programs in-
18 side Tibet.

19 SOUTH AND CENTRAL ASIA

20 SEC. 7044. (a) AFGHANISTAN.—

21 (1) PERSONNEL REPORT.—Not later than 30
22 days after enactment of this Act and every 120 days
23 thereafter until September 30, 2019, the Secretary
24 of State shall submit a report, in classified form if
25 necessary, to the appropriate congressional commit-

1 tees detailing by agency the number of personnel
2 present in Afghanistan under Chief of Mission au-
3 thority per section 3927 of title 22, United States
4 Code, at the end of the 120 day period preceding the
5 submission of such report: *Provided*, That such re-
6 port shall also include the number of locally em-
7 ployed staff and contractors supporting United
8 States Embassy operations in Afghanistan during
9 the reporting period.

10 (2) ASSISTANCE AND CONDITIONS.—

11 (A) FUNDING AND LIMITATIONS.—Funds
12 appropriated by this Act under the headings
13 “Economic Support Fund” and “International
14 Narcotics Control and Law Enforcement” may
15 be made available for assistance for Afghani-
16 stan: *Provided*, That such funds may not be ob-
17 ligated for any project or activity that—

18 (i) includes the participation of any
19 Afghan individual or organization, includ-
20 ing government entity, that the Secretary
21 of State determines to be involved in cor-
22 rupt practices, illicit narcotics production
23 or trafficking, or a violation of human
24 rights;

1 (ii) cannot be sustained, as appro-
2 priate, by the Government of Afghanistan
3 or another Afghan entity;

4 (iii) is not regularly accessible for the
5 purposes of conducting effective oversight
6 in accordance with applicable Federal stat-
7 utes and regulations;

8 (iv) initiates any new, major infra-
9 structure development; or

10 (v) legitimizes the Taliban or other
11 extremist organizations in areas not under
12 the control of the Government of Afghani-
13 stan.

14 (B) CERTIFICATION AND REPORT.—Prior
15 to the initial obligation of funds made available
16 by this Act under the headings “Economic Sup-
17 port Fund” and “International Narcotics Con-
18 trol and Law Enforcement” for assistance for
19 the central Government of Afghanistan, the
20 Secretary of State shall certify and report to
21 the Committees on Appropriations, after con-
22 sultation with the Government of Afghanistan,
23 that—

24 (i) goals and benchmarks for the spe-
25 cific uses of such funds have been estab-

1 lished by the Governments of the United
2 States and Afghanistan;

3 (ii) conditions are in place that in-
4 crease the transparency and accountability
5 of the Government of Afghanistan for
6 funds obligated under the New Develop-
7 ment Partnership or other incentive-based
8 programs;

9 (iii) the Government of Afghanistan is
10 implementing laws and policies to govern
11 democratically and protect the rights of in-
12 dividuals, civil society, and the media;

13 (iv) the Government of Afghanistan is
14 taking consistent steps to protect and ad-
15 vance the rights of women and girls in Af-
16 ghanistan;

17 (v) the Government of Afghanistan is
18 effectively implementing a whole-of-govern-
19 ment, anti-corruption strategy that has
20 been endorsed by the High Council on
21 Rule of Law and Anti-Corruption, as
22 agreed to at the Brussels Conference on
23 Afghanistan in October 2016, and is pros-
24 ecuting individuals alleged to be involved in
25 corrupt or illegal activities in Afghanistan;

1 (vi) monitoring and oversight frame-
2 works for programs implemented with such
3 funds are in accordance with all applicable
4 audit policies of the Department of State
5 and the United States Agency for Inter-
6 national Development, including in areas
7 under the control of the Taliban or other
8 extremist organizations;

9 (vii) the necessary policies and proce-
10 dures are in place to ensure Government of
11 Afghanistan compliance with section 7013
12 of this Act, “Prohibition on Taxation of
13 United States Assistance”; and

14 (viii) the Government of Afghanistan
15 is publicly reporting its national budget,
16 including revenues and expenditures.

17 (C) WAIVER.—The Secretary of State may
18 waive the certification requirement of subpara-
19 graph (B) if the Secretary determines that to
20 do so is important to the national security in-
21 terest of the United States and the Secretary
22 submits a report to the Committees on Appro-
23 priations, in classified form if necessary, on the
24 justification for the waiver and the reasons why

1 any of the requirements of subparagraph (B)
2 cannot be met.

3 (D) PROGRAMS.—Funds appropriated by
4 this Act that are made available for assistance
5 for Afghanistan shall be made available in the
6 following manner—

7 (i) for programs that protect and
8 strengthen the rights of women and girls
9 and promote the political and economic
10 empowerment of women, including their
11 meaningful inclusion in political processes;

12 (ii) for programs in South and Cen-
13 tral Asia to expand linkages between Af-
14 ghanistan and countries in the region; and

15 (iii) to assist the Government of Af-
16 ghanistan in developing and executing a
17 transparent and consistently applied sys-
18 tem of legitimate revenue generation and
19 expenditures.

20 (E) TAXATION.—None of the funds appro-
21 priated by this Act for assistance for Afghani-
22 stan may be made available for direct govern-
23 ment-to-government assistance unless the Sec-
24 retary of State certifies and reports to the Com-
25 mittees on Appropriations that United States

1 companies and organizations that are imple-
2 menting United States foreign assistance pro-
3 grams in Afghanistan in a manner consistent
4 with United States laws and regulations are not
5 subjected by such government to taxes or other
6 fees in contravention of diplomatic and other
7 agreements between the Governments of the
8 United States and Afghanistan, or to retaliation
9 for the nonpayment of taxes or fees imposed in
10 the past: *Provided*, That not later than 90 days
11 after enactment of this Act, the Secretary of
12 State shall submit to the Committees on Appro-
13 priations an assessment of the dollar value of
14 improper taxes or fees levied by such govern-
15 ment against such companies and organizations
16 in fiscal years 2015, 2016, and 2017.

17 (3) GOALS AND BENCHMARKS.—Not later than
18 90 days after enactment of this Act, the Secretary
19 of State shall submit to the appropriate congres-
20 sional committees a report describing the goals and
21 benchmarks required in paragraph (2)(B)(i): *Pro-*
22 *vided*, That not later than 6 months after the sub-
23 mission of such report and every 6 months there-
24 after until September 30, 2019, the Secretary of
25 State shall submit a report to such committees on

1 the status of achieving such goals and benchmarks:
2 *Provided further*, That the Secretary of State should
3 suspend assistance for the Government of Afghani-
4 stan if any report required by this paragraph indi-
5 cates that such government is failing to make meas-
6 urable progress in meeting such goals and bench-
7 marks.

8 (4) AUTHORITIES.—

9 (A) Funds appropriated by this Act under
10 title III through VI that are made available for
11 assistance for Afghanistan may be made avail-
12 able—

13 (i) notwithstanding section 7012 of
14 this Act or any similar provision of law
15 and section 660 of the Foreign Assistance
16 Act of 1961;

17 (ii) for reconciliation programs and
18 disarmament, demobilization, and re-
19 integration activities for former combat-
20 ants who have renounced violence against
21 the Government of Afghanistan, in accord-
22 ance with section 7046(a)(2)(B)(ii) of the
23 Department of State, Foreign Operations,
24 and Related Programs Appropriations Act,

1 2012 (division I of Public Law 112–74);
2 and

3 (iii) for an endowment to empower
4 women and girls.

5 (B) Section 7046(a)(2)(A) of division I of
6 Public Law 112–74 shall apply to funds appro-
7 priated by this Act for assistance for Afghani-
8 stan.

9 (5) BASING RIGHTS AGREEMENT.—None of the
10 funds made available by this Act may be used by the
11 United States Government to enter into a perma-
12 nent basing rights agreement between the United
13 States and Afghanistan.

14 (b) PAKISTAN.—

15 (1) CERTIFICATION REQUIREMENT.—None of
16 the funds appropriated or otherwise made available
17 by this Act under the headings “Economic Support
18 Fund”, “International Narcotics Control and Law
19 Enforcement”, and “Foreign Military Financing
20 Program” for assistance for the Government of
21 Pakistan may be made available unless the Secretary
22 of State certifies and reports to the Committees on
23 Appropriations that the Government of Pakistan
24 is—

1 (A) cooperating with the United States in
2 counterterrorism efforts against the Haqqani
3 Network, the Quetta Shura Taliban, Lashkar e-
4 Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and
5 other domestic and foreign terrorist organiza-
6 tions, including taking effective steps to end
7 support for such groups and prevent them from
8 basing and operating in Pakistan and carrying
9 out cross border attacks into neighboring coun-
10 tries;

11 (B) not supporting terrorist activities
12 against United States or coalition forces in Af-
13 ghanistan, and Pakistan's military and intel-
14 ligence agencies are not intervening extra-judi-
15 cially into political and judicial processes in
16 Pakistan;

17 (C) not financing or otherwise supporting
18 schools supported by, affiliated with, or run by
19 the Taliban or any designated foreign terrorist
20 organization;

21 (D) dismantling improvised explosive de-
22 vice (IED) networks and interdicting precursor
23 chemicals used in the manufacture of IEDs;

24 (E) preventing the proliferation of nuclear-
25 related material and expertise;

1 (F) issuing visas in a timely manner for
2 United States visitors engaged in
3 counterterrorism efforts and assistance pro-
4 grams in Pakistan; and

5 (G) providing humanitarian organizations
6 access to detainees, internally displaced per-
7 sons, and other Pakistani civilians affected by
8 the conflict.

9 (2) WAIVER.—The Secretary of State, after
10 consultation with the Secretary of Defense, may
11 waive the certification requirement of paragraph (1)
12 if the Secretary determines that to do so is impor-
13 tant to the national security interest of the United
14 States and the Secretary submits a report to the
15 Committees on Appropriations, in classified form if
16 necessary, on the justification for the waiver and the
17 reasons why any part of the certification require-
18 ment of paragraph (1) has not been met.

19 (3) ASSISTANCE.—

20 (A) Funds appropriated by this Act under
21 the heading “Foreign Military Financing Pro-
22 gram” for assistance for Pakistan may be made
23 available only to support counterterrorism and
24 counterinsurgency capabilities in Pakistan.

1 (B) Funds appropriated by this Act under
2 the headings “Economic Support Fund” and
3 “Nonproliferation, Anti-terrorism, Demining
4 and Related Programs” that are available for
5 assistance for Pakistan shall be made available
6 to interdict precursor materials from Pakistan
7 to Afghanistan that are used to manufacture
8 IEDs, including calcium ammonium nitrate; to
9 support programs to train border and customs
10 officials in Pakistan and Afghanistan; and for
11 agricultural extension programs that encourage
12 alternative fertilizer use among Pakistani farm-
13 ers.

14 (4) SCHOLARSHIPS FOR WOMEN.—The author-
15 ity and directives of section 7044(d)(4) of the De-
16 partment of State, Foreign Operations, and Related
17 Programs Appropriations Act, 2015 (division J of
18 Public Law 113–235) shall apply to funds appro-
19 priated by this Act that are made available for as-
20 sistance for Pakistan: *Provided*, That prior to the
21 obligation of funds for such purposes, the USAID
22 Administrator shall consult with the Committees on
23 Appropriations.

24 (5) REPORTS.—

1 (A)(i) The spend plan required by section
2 7076 of this Act for assistance for Pakistan
3 shall include achievable and sustainable goals,
4 benchmarks for measuring progress, and ex-
5 pected results regarding combating poverty and
6 furthering development in Pakistan, countering
7 terrorism and extremism, and establishing con-
8 ditions conducive to the rule of law and trans-
9 parent and accountable governance: *Provided*,
10 That not later than 6 months after submission
11 of such spend plan, and each 6 months there-
12 after until September 30, 2019, the Secretary
13 of State shall submit a report to the Commit-
14 tees on Appropriations on the status of achiev-
15 ing the goals and benchmarks in such plan.

16 (ii) The Secretary of State should suspend
17 assistance for the Government of Pakistan if
18 any report required by clause (i) indicates that
19 Pakistan is failing to make measurable progress
20 in meeting such goals or benchmarks.

21 (B) Not later than 90 days after enact-
22 ment of this Act, the Secretary of State shall
23 submit a report to the appropriate congres-
24 sional committees detailing the costs and objec-
25 tives associated with significant infrastructure

1 projects supported by the United States in
2 Pakistan, and an assessment of the extent to
3 which such projects achieve such objectives.

4 (6) OVERSIGHT.—The Secretary of State shall
5 take all practicable steps to ensure that mechanisms
6 are in place for monitoring, oversight, and control of
7 funds made available by this subsection for assist-
8 ance for Pakistan.

9 (c) SRI LANKA.—

10 (1) BILATERAL ECONOMIC ASSISTANCE.—
11 Funds appropriated by this Act under the heading
12 “Economic Support Fund” shall be made available
13 for assistance for Sri Lanka for democracy and eco-
14 nomic development programs, particularly in areas
15 recovering from ethnic and religious conflict: *Pro-*
16 *vided*, That such funds shall be made available for
17 programs to assist in the identification and resolu-
18 tion of cases of missing persons.

19 (2) CERTIFICATION.—Funds appropriated by
20 this Act for assistance for the central Government of
21 Sri Lanka may be made available only if the Sec-
22 retary of State certifies and reports to the Commit-
23 tees on Appropriations that the Government of Sri
24 Lanka is taking steps to—

1 (A) address the underlying causes of con-
2 flict in Sri Lanka;

3 (B) increase accountability and trans-
4 parency in governance; and

5 (C) fulfill commitments with respect to
6 transitional justice and the restoration of civil
7 and human rights.

8 (3) INTERNATIONAL SECURITY ASSISTANCE.—
9 Funds appropriated under title IV of this Act that
10 are available for assistance for Sri Lanka shall be
11 subject to the following conditions—

12 (A) not to exceed \$400,000 under the
13 heading “Foreign Military Financing Program”
14 may only be made available for programs to
15 support humanitarian and disaster response ef-
16 forts; to redeploy out of former conflict zones;
17 and to restructure and reduce the size of the
18 Sri Lankan armed forces; and

19 (B) funds under the heading “Peace-
20 keeping Operations” may only be made avail-
21 able for training and equipment related to
22 international peacekeeping operations.

23 (d) REGIONAL PROGRAMS.—

24 (1) CROSS BORDER PROGRAMS.—Funds appro-
25 priated by this Act under the heading “Economic

1 Support Fund” for assistance for Afghanistan and
2 Pakistan may be provided, notwithstanding any
3 other provision of law that restricts assistance to
4 foreign countries, for cross border stabilization and
5 development programs between Afghanistan and
6 Pakistan, or between either country and the Central
7 Asian countries.

8 (2) SECURITY AND JUSTICE PROGRAMS.—
9 Funds appropriated by this Act under the headings
10 “Economic Support Fund”, “International Narcotics
11 Control and Law Enforcement”, and “Assistance for
12 Europe, Eurasia and Central Asia” that are avail-
13 able for assistance for countries in South and Cen-
14 tral Asia shall be made available to enhance the re-
15 cruitment, retention, and professionalism of women
16 in the judiciary, police, and other security forces.

17 LATIN AMERICA AND THE CARIBBEAN

18 SEC. 7045. (a) CENTRAL AMERICA.—

19 (1) FUNDING.—Subject to the requirements of
20 this subsection, of the funds appropriated under ti-
21 tles III and IV of this Act, \$615,000,000 should be
22 made available for assistance for countries in Cen-
23 tral America to implement the updated United
24 States Strategy for Engagement in Central America:
25 *Provided*, That such funds shall be made available to

1 the maximum extent practicable on a cost-matching
2 basis.

3 (2) PRE-OBLIGATION REQUIREMENTS.—Prior
4 to the obligation of funds made available pursuant
5 to paragraph (1), the Secretary of State shall submit
6 to the Committees on Appropriations a multi-year
7 spend plan as described under this section in the re-
8 port accompanying this Act, including a description
9 of how such funds shall prioritize addressing the key
10 factors in countries in Central America that con-
11 tribute to the migration of undocumented Central
12 Americans to the United States.

13 (3) ASSISTANCE FOR THE CENTRAL GOVERN-
14 MENTS OF EL SALVADOR, GUATEMALA, AND HON-
15 DURAS.—Of the funds made available pursuant to
16 paragraph (1) that are available for assistance for
17 each of the central governments of El Salvador,
18 Guatemala, and Honduras, the following amounts
19 shall be withheld from obligation and may only be
20 made available as follows:

21 (A) 25 percent may only be obligated after
22 the Secretary of State certifies and reports to
23 the appropriate congressional committees that
24 such government is taking effective steps, which
25 are in addition to those steps taken since the

1 certification and report submitted during the
2 prior year, if applicable, to—

3 (i) inform its citizens of the dangers
4 of the journey to the southwest border of
5 the United States;

6 (ii) combat human smuggling and
7 trafficking;

8 (iii) improve border security, including
9 to prevent illegal migration, human smug-
10 gling and trafficking, and trafficking of il-
11 licit drugs and other contraband; and

12 (iv) cooperate with United States Gov-
13 ernment agencies and other governments
14 in the region to facilitate the return, repa-
15 triation, and reintegration of illegal mi-
16 grants arriving at the southwest border of
17 the United States who do not qualify for
18 asylum, consistent with international law.

19 (B) An additional 50 percent may only be
20 obligated after the Secretary of State certifies
21 and reports to the appropriate congressional
22 committees that such government is taking ef-
23 fective steps, which are in addition to those
24 steps taken since the certification and report

1 submitted during the prior year, if applicable,
2 to—

3 (i) work cooperatively with an autono-
4 mous, publicly accountable entity to pro-
5 vide oversight of the Plan of the Alliance
6 for Prosperity in the Northern Triangle in
7 Central America (the Plan);

8 (ii) combat corruption, including in-
9 vestigating and prosecuting current and
10 former government officials credibly al-
11 leged to be corrupt;

12 (iii) implement reforms, policies, and
13 programs to improve transparency and
14 strengthen public institutions, including in-
15 creasing the capacity and independence of
16 the judiciary and the Office of the Attor-
17 ney General;

18 (iv) implement a policy to ensure that
19 local communities, civil society organiza-
20 tions (including indigenous and other
21 marginalized groups), and local govern-
22 ments are consulted in the design, and
23 participate in the implementation and eval-
24 uation of, activities of the Plan that affect

1 such communities, organizations, and gov-
2 ernments;

3 (v) counter the activities of criminal
4 gangs, drug traffickers, and organized
5 crime;

6 (vi) investigate and prosecute in the
7 civilian justice system government per-
8 sonnel, including military and police per-
9 sonnel, who are credibly alleged to have
10 violated human rights, and ensure that
11 such personnel are cooperating in such
12 cases;

13 (vii) cooperate with commissions
14 against corruption and impunity and with
15 regional human rights entities;

16 (viii) support programs to reduce pov-
17 erty, expand education and vocational
18 training for at-risk youth, create jobs, and
19 promote equitable economic growth par-
20 ticularly in areas contributing to large
21 numbers of migrants;

22 (ix) implement a plan that includes
23 goals, benchmarks and timelines to create
24 a professional, accountable civilian police
25 force and end the role of the military in in-

1 ternal policing, and make such plan avail-
2 able to the Department of State;

3 (x) protect the right of political oppo-
4 sition parties, journalists, trade unionists,
5 human rights defenders, and other civil so-
6 ciety activists to operate without inter-
7 ference;

8 (xi) increase government revenues, in-
9 cluding by implementing tax reforms and
10 strengthening customs agencies; and

11 (xii) resolve commercial disputes, in-
12 cluding the confiscation of real property,
13 between United States entities and such
14 government.

15 (4) NORTHERN TRIANGLE INCENTIVE
16 AWARD.—Amounts designated as “Northern Tri-
17 angle Incentive Award” in the table under this sec-
18 tion in the report accompanying this Act may be
19 made available to El Salvador, Guatemala, or Hon-
20 duras, only if the Secretary of State determines and
21 reports to the appropriate congressional committees
22 that the country has made extraordinary progress in
23 meeting two or more of the conditions enumerated
24 in paragraph (3): *Provided*, That such award shall
25 be made in accordance with the requirements de-

1 scribed under this section in the report accom-
2 panying this Act.

3 (5) SUSPENSION OF ASSISTANCE AND PERIODIC
4 REVIEW.—

5 (A) The Secretary of State shall periodi-
6 cally review the progress of each of the central
7 governments of El Salvador, Guatemala, and
8 Honduras in meeting the requirements of para-
9 graphs (3)(A) and (3)(B): *Provided*, That if the
10 Secretary determines that sufficient progress
11 has not been made by a central government, the
12 Secretary shall suspend, in whole or in part, as-
13 sistance for such government for programs sup-
14 porting such requirement, and shall notify the
15 appropriate congressional committees in writing
16 of such action: *Provided further*, That the Sec-
17 retary may resume funding for such programs
18 only after the Secretary certifies to such com-
19 mittees that corrective measures have been
20 taken.

21 (B) The Secretary of State shall, following
22 a change of national government in El Sal-
23 vador, Guatemala, or Honduras, determine and
24 report to the appropriate congressional commit-
25 tees that any new government has committed to

1 take the steps to meet the requirements of
2 paragraphs (3)(A) and (3)(B): *Provided*, That
3 if the Secretary is unable to make such a deter-
4 mination in a timely manner, assistance made
5 available under this subsection for such central
6 government shall be suspended, in whole or in
7 part, until such time as such determination and
8 report can be made.

9 (6) TRANSFER OF FUNDS.—The Department of
10 State and USAID may, following consultation with
11 the Committees on Appropriations, transfer funds
12 made available by this Act under the heading “De-
13 velopment Assistance” to the Inter-American Devel-
14 opment Bank and the Inter-American Foundation to
15 support the Strategy.

16 (b) COLOMBIA.—

17 (1) ASSISTANCE.—Of the funds appropriated by
18 this Act under titles III and IV, not less than
19 \$335,925,000 shall be made available for assistance
20 for Colombia, including to support the efforts of the
21 Government of Colombia to—

22 (A) conduct a unified campaign against
23 narcotics trafficking, organizations designated
24 as foreign terrorist organizations pursuant to
25 section 219 of the Immigration and Nationality

1 Act (8 U.S.C. 1189), and other criminal or ille-
2 gal armed groups: *Provided*, That aircraft sup-
3 ported by funds made available by this Act and
4 prior Acts making appropriations for the De-
5 partment of State, foreign operations, and re-
6 lated programs may be used to transport per-
7 sonnel and supplies involved in drug eradication
8 and interdiction, including security for such ac-
9 tivities, and to provide transport in support of
10 alternative development programs and inves-
11 tigations by civilian judicial authorities;

12 (B) enhance security and stability in Co-
13 lombia and the region;

14 (C) strengthen and expand governance, the
15 rule of law, and access to justice throughout
16 Colombia;

17 (D) promote economic and social develop-
18 ment, including by improving access to areas
19 impacted by conflict through demining pro-
20 grams; and

21 (E) implement a peace agreement between
22 the Government of Colombia and illegal armed
23 groups, in accordance with constitutional and
24 legal requirements in Colombia:

1 *Provided*, That such funds shall be subject to prior
2 consultation with, and the regular notification proce-
3 dures of, the Committees on Appropriations.

4 (2) LIMITATION.—None of the funds appro-
5 priated by this Act or prior Acts making appropria-
6 tions for the Department of State, foreign oper-
7 ations, and related programs that are made available
8 for assistance for Colombia may be made available
9 for payment of reparations to conflict victims or
10 compensation to demobilized combatants associated
11 with a peace agreement between the Government of
12 Colombia and illegal armed groups.

13 (3) PRE-OBLIGATION REQUIREMENTS.—Prior
14 to the initial obligation of funds made available pur-
15 suant to paragraph (1), the Secretary of State, in
16 consultation with the USAID Administrator, shall
17 submit to the Committees on Appropriations a
18 multi-year spend plan as described under this sec-
19 tion in the report accompanying this Act.

20 (4) COUNTERNARCOTICS.—Of the funds made
21 available by this Act under the headings “Economic
22 Support Fund” and “International Narcotics Con-
23 trol and Law Enforcement” for assistance for Co-
24 lombia, 30 percent may be obligated only in accord-

1 ance with the conditions set forth under this section
2 in the report accompanying this Act.

3 (5) EXCEPTIONS.—The limitation of paragraph
4 (4) shall not apply to funds made available for hu-
5 manitarian assistance, aviation instruction and
6 maintenance, and maritime and riverine security
7 programs.

8 (c) CUBA.—

9 (1) DIPLOMATIC FACILITIES.—

10 (A) None of the funds appropriated or oth-
11 erwise made available by this Act and prior acts
12 making appropriations for the Department of
13 State, foreign operations, and related programs
14 may be obligated or expended for—

15 (i) the establishment or operation of a
16 United States diplomatic presence, includ-
17 ing an embassy, consulate, or liaison office,
18 in Cuba beyond that which was in exist-
19 ence prior to December 17, 2014, includ-
20 ing the hiring of additional staff, unless
21 such staff are necessary for protecting the
22 health, safety, or security of diplomatic
23 personnel or facilities in Cuba;

24 (ii) the facilitation of the establish-
25 ment or operation of a diplomatic mission

1 of Cuba, including an embassy, consulate,
2 or liaison office, in the United States be-
3 yond that which was in existence prior to
4 December 17, 2014; and

5 (iii) the support of Locally Employed
6 Staff in contravention of section 512 of the
7 Intelligence Authorization Act for Fiscal
8 Year 2016 (division M of Public Law 114–
9 113).

10 (B) The limitation on the use of funds
11 under subparagraph (A) shall not apply—

12 (i) with respect to assistance or sup-
13 port in furtherance of democracy-building
14 efforts for Cuba described in section 109
15 of the Cuban Liberty and Democratic Soli-
16 darity (LIBERTAD) Act of 1996 (22
17 U.S.C. 6039); and

18 (ii) if the President determines and
19 reports to the appropriate congressional
20 committees that the government in Cuba
21 has met the requirements and factors spec-
22 ified in section 205 of the Cuban Liberty
23 and Democratic Solidarity (LIBERTAD)
24 Act of 1996 (22 U.S.C. 6065), including
25 the extent to which such government has

1 extradited or otherwise rendered to the
2 United States all persons sought by the
3 United States Department of Justice for
4 crimes committed in the United States.

5 (2) DEMOCRACY PROMOTION.—Of the funds ap-
6 propriated by this Act under the heading “Economic
7 Support Fund”, \$30,000,000 shall be made avail-
8 able to promote democracy and strengthen civil soci-
9 ety in Cuba: *Provided*, That no funds shall be obli-
10 gated for business promotion, economic reform, en-
11 trepreneurship, or any other assistance that is not
12 democracy-building as expressly authorized in the
13 Cuban Liberty and Democratic Solidarity
14 (LIBERTAD) Act of 1996 and the Cuban Democ-
15 racy Act of 1992.

16 (d) HAITI.—

17 (1) CERTIFICATION.—Funds appropriated by
18 this Act under the headings “Development Assist-
19 ance” and “Economic Support Fund” that are made
20 available for assistance for Haiti may not be made
21 available for assistance for the central Government
22 of Haiti unless the Secretary of State certifies and
23 reports to the Committees on Appropriations that
24 such government is taking effective steps, which are
25 in addition to steps taken since the certification and

1 report submitted during the prior year, if applicable,
2 to—

3 (A) strengthen the rule of law in Haiti, in-
4 cluding by—

5 (i) selecting judges in a transparent
6 manner based on merit;

7 (ii) reducing pre-trial detention; and

8 (iii) respecting the independence of
9 the judiciary.

10 (B) combat corruption, including by imple-
11 menting the anti-corruption law enacted in
12 2014 and prosecuting corrupt officials; and

13 (C) increase government revenues, includ-
14 ing by implementing tax reforms, and increase
15 expenditures on public services.

16 (2) HAITIAN COAST GUARD.—The Government
17 of Haiti shall be eligible to purchase defense articles
18 and services under the Arms Export Control Act (22
19 U.S.C. 2751 et seq.) for the Coast Guard.

20 EUROPE AND EURASIA

21 SEC. 7046. (a) ASSISTANCE FOR UKRAINE.—Of the
22 funds appropriated by this Act under titles III and IV,
23 not less than \$410,465,000 shall be made available for
24 assistance for Ukraine.

1 (b) LIMITATION.—None of the funds appropriated by
2 this Act may be made available for assistance for a govern-
3 ment of an Independent State of the former Soviet Union
4 if such government directs any action in violation of the
5 territorial integrity or national sovereignty of any other
6 Independent State of the former Soviet Union, such as
7 those violations included in the Helsinki Final Act: *Pro-*
8 *vided*, That except as otherwise provided in section
9 7070(a) of this Act, funds may be made available without
10 regard to the restriction in this subsection if the President
11 determines that to do so is in the national security interest
12 of the United States: *Provided further*, That prior to exe-
13 cuting the authority contained in the previous proviso the
14 Secretary of State shall consult with the Committees on
15 Appropriations on how such assistance supports the na-
16 tional security interest of the United States.

17 (c) SECTION 907 OF THE FREEDOM SUPPORT
18 ACT.—Section 907 of the FREEDOM Support Act shall
19 not apply to—

20 (1) activities to support democracy or assist-
21 ance under title V of the FREEDOM Support Act
22 and section 1424 of the Defense Against Weapons
23 of Mass Destruction Act of 1996 (50 U.S.C. 2333)
24 or non-proliferation assistance;

1 (2) any assistance provided by the Trade and
2 Development Agency under section 661 of the For-
3 eign Assistance Act of 1961 (22 U.S.C. 2421);

4 (3) any activity carried out by a member of the
5 United States and Foreign Commercial Service while
6 acting within his or her official capacity;

7 (4) any insurance, reinsurance, guarantee, or
8 other assistance provided by the Overseas Private
9 Investment Corporation under title IV of chapter 2
10 of part I of the Foreign Assistance Act of 1961 (22
11 U.S.C. 2191 et seq.);

12 (5) any financing provided under the Export-
13 Import Bank Act of 1945; or

14 (6) humanitarian assistance.

15 WAR CRIMES TRIBUNALS

16 SEC. 7047. If the President determines that doing so
17 will contribute to a just resolution of charges regarding
18 genocide or other violations of international humanitarian
19 law, the President may direct a drawdown pursuant to sec-
20 tion 552(c) of the Foreign Assistance Act of 1961 of up
21 to \$30,000,000 of commodities and services for the United
22 Nations War Crimes Tribunal established with regard to
23 the former Yugoslavia by the United Nations Security
24 Council or such other tribunals or commissions as the
25 Council may establish or authorize to deal with such viola-

1 tions, without regard to the ceiling limitation contained
2 in paragraph (2) thereof: *Provided*, That the determina-
3 tion required under this section shall be in lieu of any de-
4 terminations otherwise required under section 552(c): *Pro-*
5 *vided further*, That funds made available pursuant to this
6 section shall be made available subject to the regular noti-
7 fication procedures of the Committees on Appropriations.

8 UNITED NATIONS

9 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
10 ABILITY.—

11 (1) Of the funds appropriated under title I of
12 this Act that are available for contributions to the
13 United Nations (including the Department of Peace-
14 keeping Operations), any United Nations agency, or
15 the Organization of American States, 15 percent
16 may not be obligated for such organization, depart-
17 ment, or agency until the Secretary of State deter-
18 mines and reports to the Committees on Appropria-
19 tions that the organization, department, or agency
20 is—

21 (A) posting on a publicly available Web
22 site, consistent with privacy regulations and due
23 process, regular financial and programmatic au-
24 dits of such organization, department, or agen-
25 cy, and providing the United States Govern-

1 ment with necessary access to such financial
2 and performance audits;

3 (B) effectively implementing and enforcing
4 policies and procedures which reflect best prac-
5 tices for the protection of whistleblowers from
6 retaliation, including best practices for—

7 (i) protection against retaliation for
8 internal and lawful public disclosures;

9 (ii) legal burdens of proof;

10 (iii) statutes of limitation for report-
11 ing retaliation;

12 (iv) access to independent adjudicative
13 bodies, including external arbitration; and

14 (v) results that eliminate the effects of
15 proven retaliation; and

16 (C) effectively implementing and enforcing
17 policies and procedures regarding travel, includ-
18 ing a prohibition on first class travel.

19 (2) The restrictions imposed by or pursuant to
20 paragraph (1) may be waived on a case-by-case basis
21 if the Secretary of State determines and reports to
22 the Committees on Appropriations that such waiver
23 is necessary to avert or respond to a humanitarian
24 crisis.

1 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
2 TIONS AND ORGANIZATIONS.—

3 (1) None of the funds made available by this
4 Act may be used to pay expenses for any United
5 States delegation to any specialized agency, body, or
6 commission of the United Nations if such agency,
7 body, or commission is chaired or presided over by
8 a country, the government of which the Secretary of
9 State has determined, for purposes of section 6(j)(1)
10 of the Export Administration Act of 1979 as contin-
11 ued in effect pursuant to the International Emer-
12 gency Economic Powers Act (50 U.S.C. App.
13 2405(j)(1)), supports international terrorism.

14 (2) None of the funds made available by this
15 Act may be used by the Secretary of State as a con-
16 tribution to any organization, agency, commission,
17 or program within the United Nations system if
18 such organization, agency, commission, or program
19 is chaired or presided over by a country the govern-
20 ment of which the Secretary of State has deter-
21 mined, for purposes of section 620A of the Foreign
22 Assistance Act of 1961, section 40 of the Arms Ex-
23 port Control Act, section 6(j)(1) of the Export Ad-
24 ministration Act of 1979, or any other provision of

1 law, is a government that has repeatedly provided
2 support for acts of international terrorism.

3 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—

4 None of the funds appropriated by this Act may be made
5 available in support of the United Nations Human Rights
6 Council unless the Secretary of State determines and re-
7 ports to the Committees on Appropriations that participa-
8 tion in the Council is in the national security interest of
9 the United States and that such Council is taking signifi-
10 cant steps to remove Israel as a permanent agenda item
11 and increase transparency in the election of members to
12 such Council: *Provided*, That such report shall include a
13 description of the national security interest served and the
14 steps taken to remove Israel as a permanent agenda item
15 and increase transparency in the election of members to
16 such Council: *Provided further*, That the Secretary of
17 State shall report to the Committees on Appropriations
18 not later than September 30, 2018, on the resolutions con-
19 sidered in the United Nations Human Rights Council dur-
20 ing the previous 12 months, and on steps taken to remove
21 Israel as a permanent agenda item and increase trans-
22 parency in the election of members to such Council.

23 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
24 CY.—None of the funds made available by this Act under
25 the heading “Migration and Refugee Assistance” may be

1 made available as a contribution to the United Nations
2 Relief and Works Agency (UNRWA) until the Secretary
3 of State certifies and reports to the Committees on Appro-
4 priations, in writing, that UNRWA is—

5 (1) utilizing Operations Support Officers in the
6 West Bank, Gaza, and other fields of operation to
7 inspect UNRWA installations and reporting any in-
8 appropriate use;

9 (2) acting promptly to address any staff or ben-
10 eficiary violation of its own policies (including the
11 policies on neutrality and impartiality of employees)
12 and the legal requirements under section 301(c) of
13 the Foreign Assistance Act of 1961;

14 (3) implementing procedures to maintain the
15 neutrality of its facilities, including implementing a
16 no-weapons policy, and conducting regular inspec-
17 tions of its installations, to ensure they are only
18 used for humanitarian or other appropriate pur-
19 poses;

20 (4) taking necessary and appropriate measures
21 to ensure it is operating in compliance with the con-
22 ditions of section 301(c) of the Foreign Assistance
23 Act of 1961 and continuing regular reporting to the
24 Department of State on actions it has taken to en-
25 sure conformance with such conditions;

1 (5) taking steps to ensure the content of all
2 educational materials currently taught in UNRWA-
3 administered schools and summer camps is con-
4 sistent with the values of human rights, dignity, and
5 tolerance and does not induce incitement;

6 (6) not engaging in operations with financial in-
7 stitutions or related entities in violation of relevant
8 United States law, and is taking steps to improve
9 the financial transparency of the organization; and
10 (7) in compliance with the United Nations
11 Board of Auditors' biennial audit requirements and
12 is implementing in a timely fashion the Board's rec-
13 ommendations.

14 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
15 TIONS MEMBERS.—None of the funds appropriated or
16 made available pursuant to titles III through VI of this
17 Act for carrying out the Foreign Assistance Act of 1961,
18 may be used to pay in whole or in part any assessments,
19 arrearages, or dues of any member of the United Nations
20 or, from funds appropriated by this Act to carry out chap-
21 ter 1 of part I of the Foreign Assistance Act of 1961,
22 the costs for participation of another country's delegation
23 at international conferences held under the auspices of
24 multilateral or international organizations.

1 (f) CAPITAL PROJECTS.—None of the funds made
2 available by this Act may be used for the design, renova-
3 tion, or construction of the United Nations Headquarters
4 in New York: *Provided*, That any operating plan sub-
5 mitted pursuant to this Act for funds made available
6 under the heading “Contributions to International Organi-
7 zations” shall include information on capital projects, as
8 described under such heading in the report accompanying
9 this Act.

10 (g) WITHHOLDING REPORT.—Not later than 45 days
11 after enactment of this Act, the Secretary of State shall
12 submit a report to the Committees on Appropriations de-
13 tailing the amount of funds available for obligation or ex-
14 penditure in fiscal year 2018 for contributions to any or-
15 ganization, department, agency, or program within the
16 United Nations system or any international program that
17 are withheld from obligation or expenditure due to any
18 provision of law: *Provided*, That the Secretary of State
19 shall update such report each time additional funds are
20 withheld by operation of any provision of law: *Provided*
21 *further*, That the reprogramming of any withheld funds
22 identified in such report, including updates thereof, shall
23 be subject to prior consultation with, and the regular noti-
24 fication procedures of, the Committees on Appropriations.

1 (h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
2 KEEPING OPERATIONS.—Funds appropriated by this Act
3 shall be made available to implement section 301 of the
4 Department of State Authorities Act, Fiscal Year 2017
5 (Public Law 114–323).

6 (i) ADDITIONAL AVAILABILITY.—Funds appropriated
7 under title I of this Act which are returned or not made
8 available due to the implementation of subsection (a) or
9 the second proviso under the heading “Contributions for
10 International Peacekeeping Activities” of such title shall
11 remain available for obligation until September 30, 2019.

12 (j) WAIVER.—The restrictions imposed by or pursu-
13 ant to subsection (d) may be waived on a case-by-case
14 basis by the Secretary of State if the Secretary determines
15 and reports to the Committees on Appropriations that
16 such waiver is necessary to avert or respond to a humani-
17 tarian crisis.

18 COMMUNITY-BASED POLICE ASSISTANCE

19 SEC. 7049. (a) AUTHORITY.—Funds made available
20 by titles III and IV of this Act to carry out the provisions
21 of chapter 1 of part I and chapters 4 and 6 of part II
22 of the Foreign Assistance Act of 1961, may be used, not-
23 withstanding section 660 of that Act, to enhance the effec-
24 tiveness and accountability of civilian police authority
25 through training and technical assistance in human rights,

1 the rule of law, anti-corruption, strategic planning, and
2 through assistance to foster civilian police roles that sup-
3 port democratic governance, including assistance for pro-
4 grams to prevent conflict, respond to disasters, address
5 gender-based violence, and foster improved police relations
6 with the communities they serve.

7 (b) NOTIFICATION.—Assistance provided under sub-
8 section (a) shall be subject to the regular notification pro-
9 cedures of the Committees on Appropriations.

10 PROHIBITION ON PUBLICITY OR PROPAGANDA

11 SEC. 7050. No part of any appropriation contained
12 in this Act shall be used for publicity or propaganda pur-
13 poses within the United States not authorized before the
14 date of the enactment of this Act by Congress: *Provided*,
15 That not to exceed \$25,000 may be made available to
16 carry out the provisions of section 316 of the International
17 Security and Development Cooperation Act of 1980 (Pub-
18 lic Law 96–533).

19 INTERNATIONAL CONFERENCES

20 SEC. 7051. None of the funds made available in this
21 Act may be used to send or otherwise pay for the attend-
22 ance of more than 50 employees of agencies or depart-
23 ments of the United States Government who are stationed
24 in the United States, at any single international con-
25 ference occurring outside the United States, unless the

1 Secretary of State reports to the Committees on Appro-
2 priations at least 5 days in advance that such attendance
3 is important to the national interest: *Provided*, That for
4 purposes of this section the term “international con-
5 ference” shall mean a conference attended by representa-
6 tives of the United States Government and of foreign gov-
7 ernments, international organizations, or nongovern-
8 mental organizations.

9 AIRCRAFT TRANSFER, COORDINATION, AND USE

10 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
11 standing any other provision of law or regulation, aircraft
12 procured with funds appropriated by this Act and prior
13 Acts making appropriations for the Department of State,
14 foreign operations, and related programs under the head-
15 ings “Diplomatic and Consular Programs”, “International
16 Narcotics Control and Law Enforcement”, “Andean
17 Counterdrug Initiative”, and “Andean Counterdrug Pro-
18 grams” may be used for any other program and in any
19 region.

20 (b) PROPERTY DISPOSAL.—The authority provided
21 in subsection (a) shall apply only after the Secretary of
22 State determines and reports to the Committees on Appro-
23 priations that the equipment is no longer required to meet
24 programmatic purposes in the designated country or re-
25 gion: *Provided*, That any such transfer shall be subject

1 to prior consultation with, and the regular notification
2 procedures of, the Committees on Appropriations.

3 (c) AIRCRAFT COORDINATION.—

4 (1) The uses of aircraft purchased or leased by
5 the Department of State and the United States
6 Agency for International Development with funds
7 made available in this Act or prior Acts making ap-
8 propriations for the Department of State, foreign
9 operations, and related programs shall be coordi-
10 nated under the authority of the appropriate Chief
11 of Mission: *Provided*, That such aircraft may be
12 used to transport, on a reimbursable or non-reim-
13 bursable basis, Federal and non-Federal personnel
14 supporting Department of State and USAID pro-
15 grams and activities: *Provided further*, That official
16 travel for other agencies for other purposes may be
17 supported on a reimbursable basis, or without reim-
18 bursement when traveling on a space available basis:
19 *Provided further*, That funds received by the Depart-
20 ment of State in connection with the use of aircraft
21 owned, leased, or chartered by the Department of
22 State may be credited to the Working Capital Fund
23 of the Department and shall be available for ex-
24 penses related to the purchase, lease, maintenance,
25 chartering, or operation of such aircraft.

1 (2) The requirement and authorities of this
2 subsection shall only apply to aircraft, the primary
3 purpose of which is the transportation of personnel.

4 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—

5 To the maximum extent practicable, the costs of oper-
6 ations and maintenance, including fuel, of aircraft funded
7 by this Act shall be borne by the recipient country.

8 PARKING FINES AND REAL PROPERTY TAXES OWED BY
9 FOREIGN GOVERNMENTS

10 SEC. 7053. The terms and conditions of section 7055
11 of the Department of State, Foreign Operations, and Re-
12 lated Programs Appropriations Act, 2011 (division F of
13 Public Law 111–117) shall apply to this Act: *Provided*,
14 That the date “September 30, 2009” in subsection
15 (f)(2)(B) of such section shall be deemed to be “Sep-
16 tember 30, 2017”.

17 LANDMINES AND CLUSTER MUNITIONS

18 SEC. 7054. (a) LANDMINES.—Notwithstanding any
19 other provision of law, demining equipment available to
20 the United States Agency for International Development
21 and the Department of State and used in support of the
22 clearance of landmines and unexploded ordnance for hu-
23 manitarian purposes may be disposed of on a grant basis
24 in foreign countries, subject to such terms and conditions
25 as the Secretary of State may prescribe.

1 (b) CLUSTER MUNITIONS.—No military assistance
2 shall be furnished for cluster munitions, no defense export
3 license for cluster munitions may be issued, and no cluster
4 munitions or cluster munitions technology shall be sold or
5 transferred, unless—

6 (1) the submunitions of the cluster munitions,
7 after arming, do not result in more than 1 percent
8 unexploded ordnance across the range of intended
9 operational environments, and the agreement appli-
10 cable to the assistance, transfer, or sale of such clus-
11 ter munitions or cluster munitions technology speci-
12 fies that the cluster munitions will only be used
13 against clearly defined military targets and will not
14 be used where civilians are known to be present or
15 in areas normally inhabited by civilians; or

16 (2) such assistance, license, sale, or transfer is
17 for the purpose of demilitarizing or permanently dis-
18 posing of such cluster munitions.

19 CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF
20 ECONOMIC AND MILITARY ASSISTANCE

21 SEC. 7055. (a) Under the direction of the President,
22 the Secretary of State should be responsible for the contin-
23 uous supervision and general direction of economic assist-
24 ance, law enforcement and justice sector assistance, mili-
25 tary assistance, and military education and training pro-

1 grams, including but not limited to determining whether
2 there shall be a military assistance (including civic action)
3 or a military education and training program for a country
4 and the value thereof, to the end that such programs are
5 effectively integrated both at home and abroad and the
6 foreign policy of the United States is best served thereby.

7 (b) Consistent with section 481(b) of the Foreign As-
8 sistance Act of 1961, the Secretary of State shall be re-
9 sponsible for coordinating all assistance provided by the
10 United States Government to support international efforts
11 to combat illicit narcotics production or trafficking: *Pro-*
12 *vided*, That the provision of assistance by the Department
13 of Defense which is comparable to assistance that may be
14 made available by this Act under the heading “Inter-
15 national Narcotics Control and Law Enforcement” should
16 be provided in a manner consistent with the requirements
17 of section 333(b) of title 10, United States Code, as added
18 by section 1241 of the National Defense Authorization Act
19 for Fiscal Year 2017 (Public Law 114–328).

20 LIMITATIONS RELATED TO FAMILY PLANNING AND
21 REPRODUCTIVE HEALTH

22 SEC. 7056. (a) None of the funds appropriated or
23 otherwise made available by this Act may be made avail-
24 able for the United Nations Population Fund.

1 (b) None of the funds appropriated or otherwise
2 made available by this Act for global health assistance
3 may be made available to any foreign nongovernmental or-
4 ganization that promotes or performs abortion, except in
5 cases of rape or incest or when the life of the mother
6 would be endangered if the fetus were carried to term.

7 UNITED STATES AGENCY FOR INTERNATIONAL
8 DEVELOPMENT MANAGEMENT

9 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of
10 the funds made available in title III of this Act pursuant
11 to or to carry out the provisions of part I of the Foreign
12 Assistance Act of 1961, including funds appropriated
13 under the heading “Assistance for Europe, Eurasia and
14 Central Asia”, may be used by the United States Agency
15 for International Development to hire and employ individ-
16 uals in the United States and overseas on a limited ap-
17 pointment basis pursuant to the authority of sections 308
18 and 309 of the Foreign Service Act of 1980.

19 (b) RESTRICTIONS.—

20 (1) The number of individuals hired in any fis-
21 cal year pursuant to the authority contained in sub-
22 section (a) may not exceed 175.

23 (2) The authority to hire individuals contained
24 in subsection (a) shall expire on September 30,
25 2019.

1 (c) CONDITIONS.—The authority of subsection (a)
2 should only be used to the extent that an equivalent num-
3 ber of positions that are filled by personal services contrac-
4 tors or other non-direct hire employees of USAID, who
5 are compensated with funds appropriated to carry out part
6 I of the Foreign Assistance Act of 1961, including funds
7 appropriated under the heading “Assistance for Europe,
8 Eurasia and Central Asia”, are eliminated.

9 (d) PROGRAM ACCOUNT CHARGED.—The account
10 charged for the cost of an individual hired and employed
11 under the authority of this section shall be the account
12 to which the responsibilities of such individual primarily
13 relate: *Provided*, That funds made available to carry out
14 this section may be transferred to, and merged with, funds
15 appropriated by this Act in title II under the heading “Op-
16 erating Expenses”.

17 (e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
18 viduals hired and employed by USAID, with funds made
19 available in this Act or prior Acts making appropriations
20 for the Department of State, foreign operations, and re-
21 lated programs, pursuant to the authority of section 309
22 of the Foreign Service Act of 1980, may be extended for
23 a period of up to 4 years notwithstanding the limitation
24 set forth in such section.

1 (f) DISASTER SURGE CAPACITY.—Funds appro-
2 priated under title III of this Act to carry out part I of
3 the Foreign Assistance Act of 1961, including funds ap-
4 propriated under the heading “Assistance for Europe,
5 Eurasia and Central Asia”, may be used, in addition to
6 funds otherwise available for such purposes, for the cost
7 (including the support costs) of individuals detailed to or
8 employed by USAID whose primary responsibility is to
9 carry out programs in response to natural disasters, or
10 man-made disasters subject to the regular notification
11 procedures of the Committees on Appropriations.

12 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-
13 propriated by this Act to carry out chapter 1 of part I,
14 chapter 4 of part II, and section 667 of the Foreign As-
15 sistance Act of 1961, and title II of the Food for Peace
16 Act (Public Law 83–480), may be used by USAID to em-
17 ploy up to 40 personal services contractors in the United
18 States, notwithstanding any other provision of law, for the
19 purpose of providing direct, interim support for new or
20 expanded overseas programs and activities managed by
21 the agency until permanent direct hire personnel are hired
22 and trained: *Provided*, That not more than 15 of such con-
23 tractors shall be assigned to any bureau or office: *Provided*
24 *further*, That such funds appropriated to carry out title
25 II of the Food for Peace Act (Public Law 83–480), may

1 be made available only for personal services contractors
2 assigned to the Office of Food for Peace.

3 (h) SMALL BUSINESS.—In entering into multiple
4 award indefinite-quantity contracts with funds appro-
5 priated by this Act, USAID may provide an exception to
6 the fair opportunity process for placing task orders under
7 such contracts when the order is placed with any category
8 of small or small disadvantaged business.

9 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-
10 MENTS.—Individuals hired pursuant to the authority pro-
11 vided by section 7059(o) of the Department of State, For-
12 eign Operations, and Related Programs Appropriations
13 Act, 2011 (division F of Public Law 111–117) may be
14 assigned to or support programs in Afghanistan or Paki-
15 stan with funds made available in this Act and prior Acts
16 making appropriations for the Department of State, for-
17 eign operations, and related programs.

18 GLOBAL HEALTH ACTIVITIES

19 SEC. 7058. (a) IN GENERAL.—Funds appropriated
20 by titles III and IV of this Act that are made available
21 for bilateral assistance for child survival activities or dis-
22 ease programs including activities relating to research on,
23 and the prevention, treatment and control of, HIV/AIDS
24 may be made available notwithstanding any other provi-
25 sion of law except for provisions under the heading “Glob-

1 al Health Programs” and the United States Leadership
2 Against HIV/AIDS, Tuberculosis, and Malaria Act of
3 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
4 ed.

5 (b) LIMITATION.—Of the funds appropriated by this
6 Act, not more than \$461,000,000 may be made available
7 for family planning/reproductive health.

8 (c) GLOBAL FUND.—Of the funds appropriated by
9 this Act that are available for a contribution to the Global
10 Fund to Fight AIDS, Tuberculosis and Malaria (Global
11 Fund), 10 percent should be withheld from obligation until
12 the Secretary of State determines and reports to the Com-
13 mittees on Appropriations that the Global Fund is—

14 (1) maintaining and implementing a policy of
15 transparency, including the authority of the Global
16 Fund Office of the Inspector General (OIG) to pub-
17 lish OIG reports on a public Web site;

18 (2) providing sufficient resources to maintain
19 an independent OIG that—

20 (A) reports directly to the Board of the
21 Global Fund;

22 (B) maintains a mandate to conduct thor-
23 ough investigations and programmatic audits,
24 free from undue interference; and

1 (C) compiles regular, publicly published
2 audits and investigations of financial, pro-
3 grammatic, and reporting aspects of the Global
4 Fund, its grantees, recipients, sub-recipients,
5 and Local Fund Agents;

6 (3) effectively implementing and enforcing poli-
7 cies and procedures which reflect best practices for
8 the protection of whistleblowers from retaliation, in-
9 cluding best practices for—

10 (A) protection against retaliation for inter-
11 nal and lawful public disclosures;

12 (B) legal burdens of proof;

13 (C) statutes of limitation for reporting re-
14 taliation;

15 (D) access to independent adjudicative
16 bodies, including external arbitration; and

17 (E) results that eliminate the effects of
18 proven retaliation; and

19 (4) implementing the recommendations con-
20 tained in the Consolidated Transformation Plan ap-
21 proved by the Board of the Global Fund on Novem-
22 ber 21, 2011:

23 *Provided*, That such withholding shall not be in addition
24 to funds that are withheld from the Global Fund in fiscal

1 year 2018 pursuant to the application of any other provi-
2 sion contained in this or any other Act.

3 (d) CONTAGIOUS INFECTIOUS DISEASE OUT-
4 BREAKS.—

5 (1) EMERGENCY RESERVE FUND.—Of the
6 funds appropriated by this Act under the heading
7 “Global Health Programs”, \$10,000,000 shall be for
8 the Emergency Reserve Fund established pursuant
9 to section 7058(c)(1) of the Department of State,
10 Foreign Operations, and Related Programs Appro-
11 priations Act, 2017 (division J of Public Law 115–
12 31) and shall be available under the same terms and
13 conditions of such section.

14 (2) EXTRAORDINARY MEASURES.—If the Sec-
15 retary of State determines and reports to the Com-
16 mittees on Appropriations that an international in-
17 fectionous disease outbreak is sustained, severe, and is
18 spreading internationally, or that it is in the na-
19 tional interest to respond to a Public Health Emer-
20 gency of International Concern, funds appropriated
21 by this Act under the headings “Global Health Pro-
22 grams”, “Development Assistance”, “International
23 Disaster Assistance”, “Economic Support Fund”,
24 “Democracy Fund”, “Assistance for Europe, Eur-
25 asia and Central Asia”, “Migration and Refugee As-

1 sistance”, and “Millennium Challenge Corporation”
2 may be made available to combat such infectious dis-
3 ease or public health emergency, and may be trans-
4 ferred to, and merged with, funds appropriated
5 under such headings for the purposes of this para-
6 graph.

7 (3) OVERSIGHT OF FUNDS.—Funds made avail-
8 able pursuant to the authority of this subsection
9 shall be subject to prior consultation with the appro-
10 priate congressional committees and the regular no-
11 tification procedures of the Committees on Appro-
12 priations.

13 (e) MALARIA AND OTHER INFECTIOUS DISEASES.—
14 Of the unobligated balances available under the heading
15 “Bilateral Economic Assistance” in title IX of division J
16 of the Consolidated and Further Continuing Appropria-
17 tions Act, 2015 (Public Law 113–235), \$250,000,000
18 shall be available for assistance or research to detect, pre-
19 vent, treat, and control malaria, and \$72,500,000 shall be
20 for assistance or research to detect, prevent, treat, and
21 control emerging infectious diseases in countries at risk
22 of such diseases: *Provided*, That amounts made available
23 under this section are designated by the Congress as an
24 emergency requirement pursuant to section
25 251(b)(2)(A)(i) of the Balanced Budget and Emergency

1 Deficit Control Act of 1985 and shall be available only
2 if the President subsequently so designates all such
3 amounts and transmits such designations to the Congress.

4 GENDER EQUALITY

5 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-
6 priated by this Act shall be made available to promote gen-
7 der equality in United States Government diplomatic and
8 development efforts by raising the status, increasing the
9 participation, and protecting the rights of women and girls
10 worldwide.

11 (b) WOMEN’S LEADERSHIP.—Of the funds appro-
12 priated by title III of this Act, not less than \$50,000,000
13 shall be made available to increase leadership opportuni-
14 ties for women in countries where women and girls suffer
15 discrimination due to law, policy, or practice, by strength-
16 ening protections for women’s political status, expanding
17 women’s participation in political parties and elections,
18 and increasing women’s opportunities for leadership posi-
19 tions in the public and private sectors at the local, provin-
20 cial, and national levels.

21 (c) GENDER-BASED VIOLENCE.—

22 (1)(A) Of the funds appropriated by titles III
23 and IV of this Act, not less than \$150,000,000 shall
24 be made available to implement a multi-year strat-
25 egy to prevent and respond to gender-based violence

1 in countries where it is common in conflict and non-
2 conflict settings.

3 (B) Funds appropriated by titles III and IV of
4 this Act that are available to train foreign police, ju-
5 dicial, and military personnel, including for inter-
6 national peacekeeping operations, shall address,
7 where appropriate, prevention and response to gen-
8 der-based violence and trafficking in persons, and
9 shall promote the integration of women into the po-
10 lice and other security forces.

11 (2) Department of State and United States
12 Agency for International Development gender pro-
13 grams shall incorporate coordinated efforts to com-
14 bat a variety of forms of gender-based violence, in-
15 cluding child marriage, rape, female genital cutting
16 and mutilation, and domestic violence, among other
17 forms of gender-based violence in conflict and non-
18 conflict settings.

19 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
20 priated by this Act under the headings “Development As-
21 sistance”, “Economic Support Fund”, “Assistance for Eu-
22 rope, Eurasia and Central Asia”, and “International Nar-
23 cotics Control and Law Enforcement” should be made
24 available to support a multi-year strategy to expand, and
25 improve coordination of, United States Government ef-

1 forts to empower women as equal partners in conflict pre-
2 vention, peace building, transitional processes, and recon-
3 struction efforts in countries affected by conflict or in po-
4 litical transition, and to ensure the equitable provision of
5 relief and recovery assistance to women and girls.

6 SECTOR ALLOCATIONS

7 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
8 EDUCATION.—

9 (1) BASIC EDUCATION.—

10 (A) Of the funds appropriated under title
11 III of this Act, not less than \$800,000,000
12 shall be made available for assistance for basic
13 education, and such funds may be made avail-
14 able notwithstanding any other provision of law
15 that restricts assistance to foreign countries.

16 (B) Not later than 30 days after enact-
17 ment of this Act, the Administrator of the
18 United States Agency for International Devel-
19 opment shall report to the Committees on Ap-
20 propriations on the status of cumulative unobli-
21 gated balances and obligated, but unexpended,
22 balances in each country where USAID pro-
23 vides basic education assistance and such report
24 shall also include details on the types of con-
25 tracts and grants provided and the goals and

1 objectives of such assistance: *Provided*, That
2 the USAID Administrator shall update such re-
3 port on a quarterly basis until September 30,
4 2019.

5 (C) Of the funds appropriated under title
6 III of this Act for assistance for basic education
7 programs, not less than \$87,500,000 shall be
8 made available for a contribution to multilateral
9 partnerships that support education.

10 (2) HIGHER EDUCATION.—Of the funds appro-
11 priated by title III of this Act, not less than
12 \$235,000,000 shall be made available for assistance
13 for higher education, including not less than
14 \$35,000,000 for new and ongoing partnerships for
15 human and institutional capacity building between
16 higher education institutions in the United States
17 and developing countries.

18 (b) CONSERVATION PROGRAMS AND LIMITATIONS.—

19 (1) BIODIVERSITY.—

20 (A) Of the funds appropriated under title
21 III of this Act, not less than \$265,000,000
22 shall be made available for biodiversity con-
23 servation programs.

24 (B) Of the funds appropriated by this Act
25 under the heading “Economic Support Fund”,

1 \$102,375,000 shall be made available for a
2 multilateral funding facility to support biodiver-
3 sity conservation programs: *Provided*, That
4 such funds may only be made available on a
5 grant basis: *Provided further*, That such funds
6 are in addition to amounts specified in subpara-
7 graph (A) and are subject to prior consultation
8 with, and the regular notification procedures of,
9 the Committees on Appropriations.

10 (2) WILDLIFE POACHING AND TRAFFICKING.—

11 (A) Not less than \$90,664,000 of the
12 funds appropriated under titles III and IV of
13 this Act shall be made available to combat the
14 transnational threat of wildlife poaching and
15 trafficking.

16 (B) None of the funds appropriated under
17 title IV of this Act may be made available for
18 training or other assistance for any military
19 unit or personnel that the Secretary of State
20 determines has been credibly alleged to have
21 participated in wildlife poaching or trafficking,
22 unless the Secretary reports to the appropriate
23 congressional committees that to do so is in the
24 national security interest of the United States.

1 (c) DEVELOPMENT PROGRAMS.—Of the funds appro-
2 priated by this Act under the heading “Development As-
3 sistance”, not less than \$26,000,000 shall be made avail-
4 able for the American Schools and Hospitals Abroad pro-
5 gram, and not less than \$12,000,000 shall be made avail-
6 able for cooperative development programs of USAID.

7 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
8 MENT.—Of the funds appropriated under title III of this
9 Act, not less than \$1,000,600,000 should be made avail-
10 able to carry out the provisions of the Global Food Secu-
11 rity Act of 2016 (Public Law 114–195), of which not less
12 than \$60,000,000 shall be made available for the Feed
13 the Future Innovation Labs: *Provided*, That funds may
14 be made available for a contribution as authorized by sec-
15 tion 3202 of the Food, Conservation, and Energy Act of
16 2008 (Public Law 110–246), as amended by section 3206
17 of the Agricultural Act of 2014 (Public Law 113–79).

18 (e) MICROENTERPRISE AND MICROFINANCE.—Of the
19 funds appropriated by this Act, not less than
20 \$265,000,000 should be made available for microenter-
21 prise and microfinance development programs for the
22 poor, especially women.

23 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
24 SONS.—Of the funds appropriated by this Act under the
25 headings “Development Assistance”, “Economic Support

1 Fund”, “Assistance for Europe, Eurasia and Central
2 Asia”, and “International Narcotics Control and Law En-
3 forcement”, not less than \$65,000,000 shall be made
4 available for activities to combat trafficking in persons
5 internationally, of which not less than \$40,000,000 shall
6 be from funds made available under the heading “Inter-
7 national Narcotics Control and Law Enforcement”: *Pro-*
8 *vided*, That not later than 120 days after enactment of
9 this Act, the Secretary of State shall submit an update
10 to the report required pursuant to section 7060(f)(1) of
11 the Department of State, Foreign Operations, and Related
12 Programs Appropriations Act, 2017 (division J of Public
13 Law 115–31).

14 (g) WATER AND SANITATION.—Of the funds appro-
15 priated by this Act, not less than \$400,000,000 shall be
16 made available for water supply and sanitation projects
17 pursuant to the Senator Paul Simon Water for the Poor
18 Act of 2005 (Public Law 109–121), of which not less than
19 \$145,000,000 shall be for programs in sub-Saharan Afri-
20 ca.

21 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE

22 POPULATIONS OR INTERNALLY DISPLACED PERSONS

23 SEC. 7061. Funds appropriated by this Act under the
24 headings “Development Assistance” and “Economic Sup-
25 port Fund” shall be made available for programs in coun-

1 tries affected by significant populations of internally dis-
2 placed persons or refugees to—

3 (1) expand and improve host government social
4 services and basic infrastructure to accommodate the
5 needs of such populations and persons;

6 (2) alleviate the social and economic strains
7 placed on host communities, including through pro-
8 grams to promote livelihoods, vocational training,
9 and formal and informal education;

10 (3) improve coordination of such assistance in
11 a more effective and sustainable manner; and

12 (4) leverage increased assistance from donors
13 other than the United States Government for central
14 governments and local communities in such coun-
15 tries.

16 ARMS TRADE TREATY

17 SEC. 7062. None of the funds appropriated by this
18 Act may be obligated or expended to implement the Arms
19 Trade Treaty until the Senate approves a resolution of
20 ratification for the Treaty.

21 INSPECTORS GENERAL

22 SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.—
23 None of the funds appropriated by this Act may be used
24 to deny an Inspector General funded under this Act timely
25 access to any records, documents, or other materials avail-

1 able to the department or agency of the United States
2 Government over which such Inspector General has re-
3 sponsibilities under the Inspector General Act of 1978 (5
4 U.S.C. App.), or to prevent or impede the access of such
5 Inspector General to such records, documents, or other
6 materials, under any provision of law, except a provision
7 of law that expressly refers to such Inspector General and
8 expressly limits the right of access of such Inspector Gen-
9 eral.

10 (b) TIMELY ACCESS.—A department or agency of the
11 United States Government covered by this section shall
12 provide its Inspector General access to all records, docu-
13 ments, and other materials in a timely manner.

14 (c) COMPLIANCE.—Each Inspector General covered
15 by this section shall ensure compliance with statutory limi-
16 tations on disclosure relevant to the information provided
17 by the department or agency over which that Inspector
18 General has responsibilities under the Inspector General
19 Act of 1978 (5 U.S.C. App.).

20 (d) REPORT REQUIREMENT.—Each Inspector Gen-
21 eral covered by this section shall report to the Committees
22 on Appropriations within 5 calendar days of any failure
23 by any department or agency of the United States Govern-
24 ment to provide its Inspector General access to all re-
25 quested records, documents, and other materials.

1 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS

2 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

3 SEC. 7064. Not later than 5 days after the conclusion
4 of an agreement with a country, including a state with
5 a compact of free association with the United States, to
6 receive by transfer or release individuals detained at
7 United States Naval Station, Guantánamo Bay, Cuba, the
8 Secretary of State shall notify the Committees on Appro-
9 priations in writing of the terms of the agreement, includ-
10 ing whether funds appropriated by this Act or prior Acts
11 making appropriations for the Department of State, for-
12 eign operations, and related programs will be made avail-
13 able for assistance for such country pursuant to such
14 agreement.

15 MULTI-YEAR PLEDGES

16 SEC. 7065. None of the funds appropriated by this
17 Act may be used to make any pledge for future year fund-
18 ing for any multilateral or bilateral program funded in ti-
19 tles III through VI of this Act unless such pledge was—

20 (1) previously justified, including the projected
21 future year costs, in a congressional budget justifica-
22 tion;

23 (2) included in an Act making appropriations
24 for the Department of State, foreign operations, and

1 related programs or previously authorized by an Act
2 of Congress;

3 (3) notified in accordance with the regular noti-
4 fication procedures of the Committees on Appropria-
5 tions, including the projected future year costs; or

6 (4) the subject of prior consultation with the
7 Committees on Appropriations and such consultation
8 was conducted at least 7 days in advance of the
9 pledge.

10 PROHIBITION ON USE OF TORTURE

11 SEC. 7066. None of the funds made available in this
12 Act may be used to support or justify the use of torture,
13 cruel, or inhumane treatment by any official or contract
14 employee of the United States Government.

15 EXTRADITION

16 SEC. 7067. (a) LIMITATION.—None of the funds ap-
17 propriated in this Act may be used to provide assistance
18 (other than funds provided under the headings “Inter-
19 national Disaster Assistance”, “International Narcotics
20 Control and Law Enforcement”, “Migration and Refugee
21 Assistance”, and “Nonproliferation, Anti-terrorism,
22 Demining and Related Assistance”) for the central gov-
23 ernment of a country which has notified the Department
24 of State of its refusal to extradite to the United States
25 any individual indicted for a criminal offense for which

1 the maximum penalty is life imprisonment without the
2 possibility of parole or for killing a law enforcement offi-
3 cer, as specified in a United States extradition request.

4 (b) CLARIFICATION.—Subsection (a) shall only apply
5 to the central government of a country with which the
6 United States maintains diplomatic relations and with
7 which the United States has an extradition treaty and the
8 government of that country is in violation of the terms
9 and conditions of the treaty.

10 (c) WAIVER.—The Secretary of State may waive the
11 restriction in subsection (a) on a case-by-case basis if the
12 Secretary certifies to the Committees on Appropriations
13 that such waiver is important to the national interests of
14 the United States.

15 COMMERCIAL LEASING OF DEFENSE ARTICLES

16 SEC. 7068. Notwithstanding any other provision of
17 law, and subject to the regular notification procedures of
18 the Committees on Appropriations, the authority of sec-
19 tion 23(a) of the Arms Export Control Act may be used
20 to provide financing to Israel, Egypt, and the North Atlan-
21 tic Treaty Organization (NATO), and major non-NATO
22 allies for the procurement by leasing (including leasing
23 with an option to purchase) of defense articles from
24 United States commercial suppliers, not including Major
25 Defense Equipment (other than helicopters and other

1 types of aircraft having possible civilian application), if the
2 President determines that there are compelling foreign
3 policy or national security reasons for those defense arti-
4 cles being provided by commercial lease rather than by
5 government-to-government sale under such Act.

6

RESCISSIONS

7

(INCLUDING RESCISSION OF FUNDS)

8 SEC. 7069. (a) ASSISTANCE.—Of the unobligated
9 balances available to the President under the heading
10 “Development Assistance”, as identified by Treasury Ap-
11 propriation Fund Symbol 72 X 1021, \$29,906,927.46 are
12 rescinded.

13 (b) NORTH AMERICAN DEVELOPMENT BANK.—The
14 unobligated balances available under the heading “Con-
15 tribution to the North American Development Bank” in
16 the Department of State, Foreign Operations, and Related
17 Programs Appropriations Act, 2016 (division K of Public
18 Law 114–113) are rescinded.

19 (c) EXPORT-IMPORT BANK.—Of the unobligated bal-
20 ances under the heading “Export and Investment Assist-
21 ance, Export-Import Bank of the United States, Subsidy
22 Appropriation” for tied-aid grants in prior Acts making
23 appropriations for the Department of State, foreign oper-
24 ations, and related programs, \$165,000,000 are rescinded.

1 (d) SEC. 129 OF PUBLIC LAW 110–329.—Of the un-
2 obligated balances available for “Department of Energy—
3 Energy Programs—Advanced Technology Vehicles Manu-
4 facturing Loan Program Account” under section 129 of
5 the Continuing Appropriations Resolution, 2009 (division
6 A of Public Law 110–329), \$1,090,000,000 is hereby re-
7 scinded.

8 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

9 SEC. 7070. (a) LIMITATION.—None of the funds ap-
10 propriated by this Act may be made available for assist-
11 ance for the central Government of the Russian Federa-
12 tion.

13 (b) ANNEXATION OF CRIMEA.—

14 (1) None of the funds appropriated by this Act
15 may be made available for assistance for the central
16 government of a country that the Secretary of State
17 determines and reports to the Committees on Appro-
18 priations has taken affirmative steps intended to
19 support or be supportive of the Russian Federation
20 annexation of Crimea: *Provided*, That except as oth-
21 erwise provided in subsection (a), the Secretary may
22 waive the restriction on assistance required by this
23 paragraph if the Secretary determines and reports to
24 such Committees that to do so is in the national in-

1 terest of the United States, and includes a justifica-
2 tion for such interest.

3 (2) None of the funds appropriated by this Act
4 may be made available for—

5 (A) the implementation of any action or
6 policy that recognizes the sovereignty of the
7 Russian Federation over Crimea;

8 (B) the facilitation, financing, or guarantee
9 of United States Government investments in
10 Crimea, if such activity includes the participa-
11 tion of Russian Government officials, or other
12 Russian owned or controlled financial entities;
13 or

14 (C) assistance for Crimea, if such assist-
15 ance includes the participation of Russian Gov-
16 ernment officials, or other Russian owned or
17 controlled financial entities.

18 (3) The Secretary of the Treasury shall instruct
19 the United States executive directors of each inter-
20 national financial institution to vote against any as-
21 sistance by such institution (including any loan,
22 credit, or guarantee) for any program that violates
23 the sovereignty or territorial integrity of Ukraine.

24 (4) The requirements and limitations of this
25 subsection shall cease to be in effect if the Secretary

1 of State determines and reports to the Committees
2 on Appropriations that the Government of Ukraine
3 has reestablished sovereignty over Crimea.

4 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
5 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

6 (1) None of the funds appropriated by this Act
7 may be made available for assistance for the central
8 government of a country that the Secretary of State
9 determines and reports to the Committees on Approp-
10 riations has recognized the independence of, or has
11 established diplomatic relations with, the Russian oc-
12 cupied Georgian territories of Abkhazia and
13 Tskhinvali Region/South Ossetia: *Provided*, That the
14 Secretary shall publish on the Department of State
15 Web site a list of any such central governments in
16 a timely manner: *Provided further*, That the Sec-
17 retary may waive the restriction on assistance re-
18 quired by this paragraph if the Secretary determines
19 and reports to the Committees on Appropriations
20 that to do so is in the national interest of the United
21 States, and includes a justification for such interest.

22 (2) None of the funds appropriated by this Act
23 may be made available to support the Russian occu-
24 pation of the Georgian territories of Abkhazia and
25 Tskhinvali Region/South Ossetia.

1 (3) The Secretary of the Treasury shall instruct
2 the United States executive directors of each inter-
3 national financial institution to vote against any as-
4 sistance by such institution (including any loan,
5 credit, or guarantee) for any program that violates
6 the sovereignty and territorial integrity of Georgia.

7 (d) ASSISTANCE TO COUNTER INFLUENCE AND AG-
8 GRESSION.—

9 (1) Funds appropriated by this Act under the
10 headings “Assistance for Europe, Eurasia and Cen-
11 tral Asia”, “International Narcotics Control and
12 Law Enforcement”, “International Military Edu-
13 cation and Training”, and “Foreign Military Fi-
14 nancing Program” shall be made available for assist-
15 ance to counter Russian influence and aggression in
16 countries in Europe and Eurasia.

17 (2) Funds appropriated by this Act and made
18 available for assistance for the Eastern Partnership
19 countries shall be made available to advance the im-
20 plementation of Association Agreements and trade
21 agreements with the European Union, and to reduce
22 their vulnerability to external economic and political
23 pressure from the Russian Federation.

24 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
25 this Act shall be made available to support democracy pro-

1 grams in the Russian Federation, including to promote
2 Internet freedom, and shall also be made available to sup-
3 port the democracy and rule of law strategy required by
4 section 7071(d) of the Department of State, Foreign Op-
5 erations, and Related Programs Appropriations Act, 2014
6 (division K of Public Law 113–76).

7 (f) REPORTS.—Not later than 45 days after enact-
8 ment of this Act, the Secretary of State shall update the
9 reports required by subsections (b)(2) and (e) of section
10 7071 of the Department of State, Foreign Operations, and
11 Related Programs Appropriations Act, 2014 (division K
12 of Public Law 113–76).

13 INTERNATIONAL MONETARY FUND

14 SEC. 7071. (a) EXTENSIONS.—The terms and condi-
15 tions of sections 7086(b) (1) and (2) and 7090(a) of the
16 Department of State, Foreign Operations, and Related
17 Programs Appropriations Act, 2010 (division F of Public
18 Law 111–117) shall apply to this Act.

19 (b) REPAYMENT.—The Secretary of the Treasury
20 shall instruct the United States Executive Director of the
21 International Monetary Fund (IMF) to seek to ensure
22 that any loan will be repaid to the IMF before other pri-
23 vate creditors.

1 SPECIAL DEFENSE ACQUISITION FUND

2 SEC. 7072. Not to exceed \$900,000,000 may be obli-
3 gated pursuant to section 51(c)(2) of the Arms Export
4 Control Act for the purposes of the Special Defense Acqui-
5 sition Fund (Fund), to remain available for obligation
6 until September 30, 2020: *Provided*, That the provision
7 of defense articles and defense services to foreign coun-
8 tries or international organizations from the Fund shall
9 be subject to the concurrence of the Secretary of State.

10 COUNTERING FOREIGN FIGHTERS AND EXTREMIST

11 ORGANIZATIONS

12 SEC. 7073. (a) FUNDING.— Funds appropriated
13 under titles III and IV of this Act shall be made available
14 for programs and activities to counter and defeat violent
15 extremism and foreign fighters abroad, which shall include
16 components to—

17 (1) counter the recruitment, radicalization,
18 movement, and financing of such extremists and for-
19 eign fighters;

20 (2) secure borders of countries impacted by ex-
21 tremism;

22 (3) assist countries impacted by extremism to
23 implement and establish criminal laws and policies
24 to counter extremists and foreign fighters; and

1 (4) promote and strengthen democratic institu-
2 tions and practices in countries impacted by extre-
3 mism.

4 (b) CONDITIONS.—The Secretary of State shall—

5 (1) promptly inform the appropriate congres-
6 sional committees of each instance in which assist-
7 ance provided pursuant to this section has been di-
8 verted or destroyed, to include the type and amount
9 of assistance, a description of the incident and par-
10 ties involved, and an explanation of the response of
11 the Department of State or the United States Agen-
12 cy for International Development, as appropriate;
13 and

14 (2) ensure programs to counter and defeat vio-
15 lent extremism and foreign fighters abroad are co-
16 ordinated with and complement the efforts of other
17 United States Government agencies and inter-
18 national partners.

19 ENTERPRISE FUNDS

20 SEC. 7074. (a) NOTIFICATION REQUIREMENT.—

21 None of the funds made available under titles III through
22 VI of this Act may be made available for Enterprise Funds
23 unless the appropriate congressional committees are noti-
24 fied at least 15 days in advance.

1 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
2 distribution of any assets resulting from any liquidation,
3 dissolution, or winding up of an Enterprise Fund, in whole
4 or in part, the President shall submit to the appropriate
5 congressional committees a plan for the distribution of the
6 assets of the Enterprise Fund.

7 (c) TRANSITION OR OPERATING PLAN.—Prior to a
8 transition to and operation of any private equity fund or
9 other parallel investment fund under an existing Enter-
10 prise Fund, the President shall submit such transition or
11 operating plan to the appropriate congressional commit-
12 tees.

13 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

14 SEC. 7075. If the President makes a determination
15 not to comply with any provision of this Act on constitu-
16 tional grounds, the head of the relevant Federal agency
17 shall notify the Committees on Appropriations in writing
18 within 5 days of such determination, the basis for such
19 determination and any resulting changes to program and
20 policy.

21 BUDGET DOCUMENTS

22 SEC. 7076. (a) OPERATING AND REORGANIZATION
23 PLANS.—

24 (1) Not later than 45 days after the date of en-
25 actment of this Act, each department, agency, or or-

1 organization funded in titles I, II, and VI of this Act,
2 and the Department of the Treasury and Inde-
3 pendent Agencies funded in title III of this Act, in-
4 cluding the Inter-American Foundation and the
5 United States African Development Foundation,
6 shall submit to the Committees on Appropriations
7 an operating plan for funds appropriated to such de-
8 partment, agency, or organization in such titles of
9 this Act, or funds otherwise available for obligation
10 in fiscal year 2018, that provides details of the uses
11 of such funds at the program, project, and activity
12 level: *Provided*, That such plans shall include, as ap-
13 plicable, a comparison between the congressional
14 budget justification funding levels, the most recent
15 congressional directives or approved funding levels,
16 and the funding levels proposed by the department
17 or agency; and a clear, concise, and informative de-
18 scription/justification: *Provided further*, That if such
19 department, agency, or organization receives an ad-
20 ditional amount under the same heading in title VIII
21 of this Act, operating plans required by this sub-
22 section shall include consolidated information on all
23 such funds: *Provided further*, That operating plans
24 that include changes in levels of funding for pro-
25 grams, projects, and activities specified in the con-

1 gressional budget justification, in this Act, or
2 amounts specifically designated in the respective ta-
3 bles included in the report accompanying this Act,
4 as applicable, shall be subject to the notification and
5 reprogramming requirements of section 7015 of this
6 Act.

7 (2) Concurrent with the submission of an oper-
8 ating plan pursuant to paragraph (1), each covered
9 department, agency, or organization shall submit to
10 the Committees on Appropriations information de-
11 tailing any planned reorganization of such depart-
12 ment, agency, or organization, including any action
13 planned pursuant to the March 13, 2017 Executive
14 Order 13781 on a Comprehensive Plan for Reorga-
15 nizing the Executive Branch, including—

16 (A) a detailed explanation of the plan, in-
17 cluding any policies and procedures currently or
18 expected to be used to comply with Executive
19 Order 13781;

20 (B) a detailed organization chart, including
21 a brief description of each operating unit; and

22 (C) the number of employees for each op-
23 erating unit.

24 (b) SPEND PLANS.—

1 (1) Prior to the initial obligation of funds, the
2 Secretary of State or Administrator of the United
3 States Agency for International Development, as ap-
4 propriate, shall submit to the Committees on Appro-
5 priations a spend plan for funds made available by
6 this Act, for—

7 (A) assistance for Afghanistan, Iraq, Leb-
8 anon, Pakistan, and the West Bank and Gaza;

9 (B) regional security initiatives listed
10 under this section in the report accompanying
11 this Act: *Provided*, That the spend plan for
12 such initiatives shall include the amount of as-
13 sistance planned for each country by account,
14 to the maximum extent practicable; and

15 (C) democracy programs and sectors enu-
16 merated in subsections (a), (b), (d), (f), and (g)
17 of section 7060 of this Act.

18 (2) Not later than 45 days after enactment of
19 this Act, the Secretary of the Treasury shall submit
20 to the Committees on Appropriations a detailed
21 spend plan for funds made available by this Act
22 under the heading “Department of the Treasury,
23 International Affairs Technical Assistance” in title
24 III.

1 (c) SPENDING REPORT.—Not later than 45 days
2 after enactment of this Act, the USAID Administrator
3 shall submit to the Committees on Appropriations a de-
4 tailed report on spending of funds made available during
5 fiscal year 2017 under the heading “Development Credit
6 Authority”.

7 (d) NOTIFICATIONS.—The spend plans referenced in
8 subsection (b) shall not be considered as meeting the noti-
9 fication requirements in this Act or under section 634A
10 of the Foreign Assistance Act of 1961.

11 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

12 (1) The congressional budget justification for
13 Department of State operations and foreign oper-
14 ations shall be provided to the Committees on Ap-
15 propriations concurrent with the date of submission
16 of the President’s budget for fiscal year 2019: *Pro-*
17 *vided*, That any appendices for such justification
18 shall be provided to the Committees on Appropria-
19 tions not later than 10 calendar days thereafter.

20 (2) The Secretary of State and the USAID Ad-
21 ministrator shall include in the congressional budget
22 justification a detailed justification for multi-year
23 availability for any funds requested under the head-
24 ings “Diplomatic and Consular Programs” and “Op-
25 erating Expenses”.

1 REPORTS AND RECORDS MANAGEMENT

2 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

3 (1) REQUIREMENT.—Any agency receiving
4 funds made available by this Act shall, subject to
5 paragraphs (2) and (3), post on the publicly avail-
6 able Web site of such agency any report required by
7 this Act to be submitted to the Committees on Ap-
8 propriations, upon a determination by the head of
9 such agency that to do so is in the national interest.

10 (2) EXCEPTIONS.—Paragraph (1) shall not
11 apply to a report if—

12 (A) the public posting of such report would
13 compromise national security, including the
14 conduct of diplomacy; or

15 (B) the report contains proprietary, privi-
16 leged, or sensitive information.

17 (3) TIMING AND INTENTION.—The head of the
18 agency posting such report shall, unless otherwise
19 provided for in this Act, do so only after such report
20 has been made available to the Committees on Ap-
21 propriations for not less than 45 days: *Provided*,
22 That any report required by this Act to be submitted
23 to the Committees on Appropriations shall include
24 information from the submitting agency on whether
25 such report will be publicly posted.

1 (b) REQUESTS FOR DOCUMENTS.—None of the funds
2 appropriated or made available pursuant to titles III
3 through VI of this Act shall be available to a nongovern-
4 mental organization, including any contractor, which fails
5 to provide upon timely request any document, file, or
6 record necessary to the auditing requirements of the De-
7 partment of State and the United States Agency for Inter-
8 national Development.

9 (c) RECORDS MANAGEMENT.—

10 (1) LIMITATION.—None of the funds appro-
11 priated by this Act under the headings “Diplomatic
12 and Consular Programs” and “Capital Investment
13 Fund” in title I, and “Operating Expenses” and
14 “Capital Investment Fund” in title II that are made
15 available to the Department of State and USAID
16 may be made available to support the use or estab-
17 lishment of email accounts or email servers created
18 outside the .gov domain or not fitted for automated
19 records management as part of a Federal govern-
20 ment records management program in contravention
21 of the Presidential and Federal Records Act Amend-
22 ments of 2014 (Public Law 113–187).

23 (2) DIRECTIVES.—The Secretary of State and
24 USAID Administrator shall—

1 (A) update the policies, directives, and
2 oversight necessary to comply with Federal
3 statutes, regulations, and presidential executive
4 orders and memoranda concerning the preserva-
5 tion of all records made or received in the con-
6 duct of official business, including record
7 emails, instant messaging, and other online
8 tools;

9 (B) use funds appropriated by this Act
10 under the headings “Diplomatic and Consular
11 Programs” and “Capital Investment Fund” in
12 title I, and “Operating Expenses” and “Capital
13 Investment Fund” in title II, as appropriate, to
14 improve Federal records management pursuant
15 to the Federal Records Act (44 U.S.C. Chap-
16 ters 21, 29, 31, and 33) and other applicable
17 Federal records management statutes, regula-
18 tions, or policies for the Department of State
19 and USAID;

20 (C) direct departing employees that all
21 Federal records generated by such employees,
22 including senior officials, belong to the Federal
23 Government; and

24 (D) significantly improve the response time
25 for identifying and retrieving Federal records,

1 including requests made pursuant to the Free-
2 dom of Information Act.

3 (3) REPORT.—Not later than 45 days after en-
4 actment of this Act, the Secretary of State and
5 USAID Administrator shall each submit a report to
6 the Committees on Appropriations and to the Na-
7 tional Archives and Records Administration detail-
8 ing, as appropriate and where applicable—

9 (A) any updates or modifications made to
10 the policy of each agency regarding the use or
11 the establishment of email accounts or email
12 servers created outside the .gov domain or not
13 fitted for automated records management as
14 part of a Federal government records manage-
15 ment program since the submission to the Com-
16 mittees on Appropriations of the report re-
17 quired by section 7077(c)(3) of the Department
18 of State, Foreign Operations, and Related Pro-
19 grams Appropriations Act, 2017 (division J of
20 Public Law 115–31);

21 (B) the extent to which each agency is in
22 compliance with applicable Federal records
23 management statutes, regulations, and policies,
24 including meeting Directive goal 1.2 of the

1 Managing Government Records Directive (M-
2 12-18) by December 31, 2016; and

3 (C) any steps taken since the submission
4 of the report referenced in subparagraph (A)
5 to—

6 (i) comply with paragraph (1)(B) of
7 this subsection;

8 (ii) ensure that all employees at every
9 level have been instructed in procedures
10 and processes to ensure that the docu-
11 mentation of their official duties is cap-
12 tured, preserved, managed, protected, and
13 accessible in official Government systems
14 of the Department of State and USAID;

15 (iii) implement recommendation 1
16 made by the Office of Inspector General
17 (OIG), Department of State, in the Janu-
18 ary 2016 Evaluation of the Department of
19 State's FOIA Process for Requests Involv-
20 ing the Office of the Secretary (ESP-16-
21 01);

22 (iv) reduce the backlog of Freedom of
23 Information Act (FOIA) and Congressional
24 oversight requests, and measurably im-

1 prove the response time for answering such
2 requests; and

3 (v) strengthen cyber security meas-
4 ures to mitigate vulnerabilities, including
5 those resulting from the use of personal
6 email accounts or servers outside the .gov
7 domain, improve the process to identify
8 and remove inactive user accounts, update
9 and enforce guidance related to the control
10 of national security information, and im-
11 plement the recommendations of the cor-
12 responding reports of the OIG as detailed
13 under this section in the report accom-
14 panying this Act.

15 (4) OPERATING PLANS.—The operating plans
16 required by section 7076(a) of this Act for funds ap-
17 propriated under the headings listed in paragraph
18 (1) shall include funds planned for—

19 (A) implementing the recommendations of
20 the OIG reports referenced in clauses (iii) and
21 (v); and

22 (B) measurably reducing the FOIA and
23 Congressional oversight requests backlog.

1 GLOBAL INTERNET FREEDOM

2 SEC. 7078. (a) FUNDING.—Of the funds available for
3 obligation during fiscal year 2018 under the headings
4 “International Broadcasting Operations”, “Economic
5 Support Fund”, “Democracy Fund”, and “Assistance for
6 Europe, Eurasia and Central Asia”, not less than
7 \$50,500,000 shall be made available for programs to pro-
8 mote Internet freedom globally: *Provided*, That such pro-
9 grams shall be prioritized for countries whose governments
10 restrict freedom of expression on the Internet, and that
11 are important to the national interests of the United
12 States: *Provided further*, That funds made available pursu-
13 ant to this section shall be matched, to the maximum ex-
14 tent practicable, by sources other than the United States
15 Government, including from the private sector.

16 (b) REQUIREMENTS.—

17 (1) Funds appropriated by this Act under the
18 headings “Economic Support Fund”, “Democracy
19 Fund”, and “Assistance for Europe, Eurasia and
20 Central Asia” that are made available pursuant to
21 subsection (a) shall be—

22 (A) coordinated with other democracy pro-
23 grams funded by this Act under such headings,
24 and shall be incorporated into country assist-

1 ance and democracy promotion strategies, as
2 appropriate;

3 (B) for programs to implement the May
4 2011, International Strategy for Cyberspace;
5 the Department of State International Cyber-
6 space Policy Strategy required by section 402
7 of the Cybersecurity Act of 2015 (division N of
8 Public Law 114–113); and the comprehensive
9 strategy to promote Internet freedom and ac-
10 cess to information in Iran, as required by sec-
11 tion 414 of the Iran Threat Reduction and
12 Syria Human Rights Act of 2012 (22 U.S.C.
13 8754);

14 (C) made available for programs that sup-
15 port the efforts of civil society to counter the
16 development of repressive Internet-related laws
17 and regulations, including countering threats to
18 Internet freedom at international organizations;
19 to combat violence against bloggers and other
20 users; and to enhance digital security training
21 and capacity building for democracy activists;

22 (D) made available for research of key
23 threats to Internet freedom; the continued de-
24 velopment of technologies that provide or en-
25 hance access to the Internet, including cir-

1 cumvention tools that bypass Internet blocking,
2 filtering, and other censorship techniques used
3 by authoritarian governments; and maintenance
4 of the technological advantage of the United
5 States Government over such censorship tech-
6 niques: *Provided*, That the Secretary of State,
7 in consultation with the Chief Executive Officer
8 (CEO) of the Broadcasting Board of Governors
9 (BBG), shall coordinate any such research and
10 development programs with other relevant
11 United States Government departments and
12 agencies in order to share information, tech-
13 nologies, and best practices, and to assess the
14 effectiveness of such technologies; and

15 (E) the responsibility of the Assistant Sec-
16 retary for Democracy, Human Rights, and
17 Labor, Department of State.

18 (2) Funds appropriated by this Act under the
19 heading “International Broadcasting Operations”
20 that are made available pursuant to subsection (a)
21 shall be—

22 (A) made available only for tools and tech-
23 niques to securely develop and distribute BBG
24 digital content; facilitate audience access to
25 such content on Web sites that are censored;

1 coordinate the distribution of BBG digital con-
2 tent to targeted regional audiences; and to pro-
3 mote and distribute such tools and techniques,
4 including digital security techniques;

5 (B) coordinated with programs funded by
6 this Act under the heading “International
7 Broadcasting Operations”, and shall be incor-
8 porated into country broadcasting strategies, as
9 appropriate;

10 (C) coordinated by the BBG CEO to pro-
11 vide Internet circumvention tools and tech-
12 niques for audiences in countries that are stra-
13 tegic priorities for the BBG and in a manner
14 consistent with the BBG Internet freedom
15 strategy; and

16 (D) made available for the research and
17 development of new tools or techniques author-
18 ized in paragraph (A) only after the BBG CEO,
19 in consultation with the Secretary of State and
20 other relevant United States Government de-
21 partments and agencies, evaluates the risks and
22 benefits of such new tools or techniques, and
23 establishes safeguards to minimize the use of
24 such new tools or techniques for illicit purposes.

1 (c) COORDINATION AND SPEND PLANS.—After con-
2 sultation among the relevant agency heads to coordinate
3 and de-conflict planned activities, but not later than 90
4 days after enactment of this Act, the Secretary of State
5 and the BBG CEO shall submit to the Committees on Ap-
6 propriations spend plans for funds made available by this
7 Act for programs to promote Internet freedom globally,
8 which shall include a description of safeguards established
9 by relevant agencies to ensure that such programs are not
10 used for illicit purposes: *Provided*, That the Department
11 of State spend plan shall include funding for all such pro-
12 grams for all relevant Department of State and USAID
13 offices and bureaus.

14 IMPACT ON JOBS IN THE UNITED STATES

15 SEC. 7079. None of the funds appropriated or other-
16 wise made available under titles III through VI of this
17 Act may be obligated or expended to provide—

18 (1) any financial incentive to a business enter-
19 prise currently located in the United States for the
20 purpose of inducing such an enterprise to relocate
21 outside the United States if such incentive or in-
22 ducement is likely to reduce the number of employ-
23 ees of such business enterprise in the United States
24 because United States production is being replaced
25 by such enterprise outside the United States;

1 (2) assistance for any program, project, or ac-
2 tivity that contributes to the violation of internation-
3 ally recognized workers' rights, as defined in section
4 507(4) of the Trade Act of 1974, of workers in the
5 recipient country, including any designated zone or
6 area in that country: *Provided*, That the application
7 of section 507(4)(D) and (E) of such Act should be
8 commensurate with the level of development of the
9 recipient country and sector, and shall not preclude
10 assistance for the informal sector in such country,
11 micro and small-scale enterprise, and smallholder
12 agriculture;

13 (3) any assistance to an entity outside the
14 United States if such assistance is for the purpose
15 of directly relocating or transferring jobs from the
16 United States to other countries and adversely im-
17 pacts the labor force in the United States; or

18 (4) for the enforcement of any rule, regulation,
19 policy, or guidelines implemented pursuant to—

20 (A) the third proviso of subsection 7079(b)
21 of the Consolidated Appropriations Act, 2010;

22 (B) the modification proposed by the Over-
23 seas Private Investment Corporation in Novem-
24 ber 2013 to the Corporation's Environmental
25 and Social Policy Statement relating to coal;

1 (C) the Supplemental Guidelines for High
2 Carbon Intensity Projects approved by the Ex-
3 port-Import Bank of the United States on De-
4 cember 12, 2013; or

5 (D) the World Bank Group's Directions
6 for the World Bank Group's Energy Sector re-
7 leased on July 16, 2013,
8 when enforcement of such rule, regulation, policy, or
9 guidelines would prohibit, or have the effect of pro-
10 hibiting, any coal-fired or other power-generation
11 project the purpose of which is to increase exports
12 of goods and services from the United States or pre-
13 vent the loss of jobs from the United States.

14 QUORUM REQUIREMENT

15 SEC. 7080. Section 1 of Public Law 106–46 (12
16 U.S.C. 635a note) is amended by striking “July 21, 1999,
17 and ends on December 2, 1999” and inserting “October
18 1, 2017, and ends on September 30, 2019”: *Provided*,
19 That the amendment made pursuant to this subparagraph
20 to such law shall take effect upon enactment of this Act.

1 TITLE VIII
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Diplomatic and Con-
9 sular Programs”, \$2,975,971,000, to remain available
10 until September 30, 2019, of which \$2,376,122,000 is for
11 Worldwide Security Protection and shall remain available
12 until expended: *Provided*, That the Secretary of State may
13 transfer up to \$5,000,000 of the total funds made avail-
14 able under this heading to any other appropriation of any
15 department or agency of the United States, upon the con-
16 currence of the head of such department or agency, to sup-
17 port operations in and assistance for Afghanistan and to
18 carry out the provisions of the Foreign Assistance Act of
19 1961: *Provided further*, That any such transfer shall be
20 subject to the regular notification procedures of the Com-
21 mittees on Appropriations: *Provided further*, That such
22 amount is designated by the Congress for Overseas Con-
23 tingency Operations/Global War on Terrorism pursuant to
24 section 251(b)(2)(A)(ii) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985.

1 OFFICE OF INSPECTOR GENERAL

2 For an additional amount for “Office of Inspector
3 General”, \$68,100,000, to remain available until Sep-
4 tember 30, 2019, of which \$54,900,000 shall be for the
5 Special Inspector General for Afghanistan Reconstruction
6 (SIGAR) for reconstruction oversight: *Provided*, That
7 printing and reproduction costs of SIGAR shall not exceed
8 amounts for such costs during fiscal year 2017: *Provided*
9 *further*, That notwithstanding any other provision of law,
10 any employee of SIGAR who completes at least 12 months
11 of continuous service after the date of enactment of this
12 Act or who is employed on the date on which SIGAR ter-
13 minates, whichever occurs first, shall acquire competitive
14 status for appointment to any position in the competitive
15 service for which the employee possesses the required
16 qualifications: *Provided further*, That such amount is des-
17 ignated by the Congress for Overseas Contingency Oper-
18 ations/Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

22 For an additional amount for “Embassy Security,
23 Construction, and Maintenance”, \$71,778,000, to remain
24 available until expended, for Worldwide Security Up-
25 grades, acquisition, and construction as authorized: *Pro-*

1 *vided*, That such amount is designated by the Congress
2 for Overseas Contingency Operations/Global War on Ter-
3 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985.

5 INTERNATIONAL ORGANIZATIONS

6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

7 For an additional amount for “Contributions to
8 International Organizations”, \$96,240,000: *Provided*,
9 That such amount is designated by the Congress for Over-
10 seas Contingency Operations/Global War on Terrorism
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985.

13 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

14 ACTIVITIES

15 For an additional amount for “Contributions for
16 International Peacekeeping Activities”, \$965,906,000, to
17 remain available until September 30, 2019: *Provided*,
18 That such amount is designated by the Congress for Over-
19 seas Contingency Operations/Global War on Terrorism
20 pursuant to section 251(b)(2)(A)(ii) of the Balanced
21 Budget and Emergency Deficit Control Act of 1985.

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 OPERATING EXPENSES

5 For an additional amount for “Operating Expenses”,
6 \$136,555,000, to remain available until September 30,
7 2019: *Provided*, That such amount is designated by the
8 Congress for Overseas Contingency Operations/Global
9 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
10 the Balanced Budget and Emergency Deficit Control Act
11 of 1985.

12 OFFICE OF INSPECTOR GENERAL

13 For an additional amount for “Office of Inspector
14 General”, \$2,500,000, to remain available until September
15 30, 2019: *Provided*, That such amount is designated by
16 the Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 BILATERAL ECONOMIC ASSISTANCE

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 INTERNATIONAL DISASTER ASSISTANCE

23 For an additional amount for “International Disaster
24 Assistance”, \$1,788,203,000, to remain available until ex-
25 pended: *Provided*, That such amount is designated by the

1 Congress for Overseas Contingency Operations/Global
2 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
3 the Balanced Budget and Emergency Deficit Control Act
4 of 1985.

5 TRANSITION INITIATIVES

6 For an additional amount for “Transition Initia-
7 tives”, \$62,043,000, to remain available until expended:
8 *Provided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 ECONOMIC SUPPORT FUND

13 For an additional amount for “Economic Support
14 Fund”, \$2,353,672,000, to remain available until Sep-
15 tember 30, 2019: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 DEPARTMENT OF STATE

21 MIGRATION AND REFUGEE ASSISTANCE

22 For an additional amount for “Migration and Ref-
23 ugee Assistance” to respond to refugee crises, including
24 in Africa, the Near East, South and Central Asia, and
25 Europe and Eurasia, \$2,231,198,000, to remain available

1 until expended, except that such funds shall not be made
2 available for the resettlement costs of refugees in the
3 United States: *Provided*, That such amount is designated
4 by the Congress for Overseas Contingency Operations/
5 Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 INTERNATIONAL SECURITY ASSISTANCE

9 DEPARTMENT OF STATE

10 INTERNATIONAL NARCOTICS CONTROL AND LAW

11 ENFORCEMENT

12 For an additional amount for “International Nar-
13 cotics Control and Law Enforcement”, \$417,951,000, to
14 remain available until September 30, 2019: *Provided*,
15 That such amount is designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

20 RELATED PROGRAMS

21 For an additional amount for “Nonproliferation,
22 Anti-terrorism, Demining and Related Programs”,
23 \$220,583,000, to remain available until September 30,
24 2019: *Provided*, That such amount is designated by the
25 Congress for Overseas Contingency Operations/Global

1 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985.

4 PEACEKEEPING OPERATIONS

5 For an additional amount for “Peacekeeping Oper-
6 ations”, \$325,213,000, to remain available until Sep-
7 tember 30, 2019: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985: *Provided further*, That funds
12 available for obligation under this heading in this Act may
13 be used to pay assessed expenses of international peace-
14 keeping activities in Somalia, subject to the regular notifi-
15 cation procedures of the Committees on Appropriations.

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 FOREIGN MILITARY FINANCING PROGRAM

18 For an additional amount for “Foreign Military Fi-
19 nancing Program”, \$460,000,000, to remain available
20 until September 30, 2019: *Provided*, That such amount
21 is designated by the Congress for Overseas Contingency
22 Operations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 GENERAL PROVISIONS

2 ADDITIONAL APPROPRIATIONS

3 SEC. 8001. Notwithstanding any other provision of
4 law, funds appropriated in this title are in addition to
5 amounts appropriated or otherwise made available in this
6 Act for fiscal year 2018.

7 EXTENSION OF AUTHORITIES AND CONDITIONS

8 SEC. 8002. Unless otherwise provided for in this Act,
9 the additional amounts appropriated by this title to appro-
10 priations accounts in this Act shall be available under the
11 authorities and conditions applicable to such appropria-
12 tions accounts.

13 COUNTERTERRORISM PARTNERSHIPS FUND

14 SEC. 8003. Funds appropriated by this Act under the
15 heading “Nonproliferation, Anti-terrorism, Demining and
16 Related Programs” shall be made available for the
17 Counterterrorism Partnerships Fund for security pro-
18 grams in areas liberated from, under the influence of, or
19 adversely affected by, the Islamic State of Iraq and Syria
20 or other terrorist organizations: *Provided*, That such areas
21 shall include the Kurdistan Region of Iraq: *Provided fur-*
22 *ther*, That prior to the obligation of funds made available
23 pursuant to this subsection, the Secretary of State shall
24 take all practicable steps to ensure that mechanisms are
25 in place for monitoring, oversight, and control of such

1 funds: *Provided further*, That the Secretary shall promptly
2 inform the appropriate congressional committees of each
3 instance in which assistance provided pursuant to this sec-
4 tion has been diverted or destroyed, to include the type
5 and amount of assistance, a description of the incident
6 and parties involved, and an explanation of the response
7 of the Department of State: *Provided further*, That funds
8 made available pursuant to this section shall be subject
9 to prior consultation with the appropriate congressional
10 committees and the regular notification procedures of the
11 Committees on Appropriations.

12 RESCISSION

13 (INCLUDING RESCISSION OF FUNDS)

14 SEC. 8004. Of the unobligated balances available to
15 the President under the heading “Economic Support
16 Fund”, \$156,913,000, which shall be derived from
17 amounts under such heading previously designated by
18 Congress for Overseas Contingency Operations/Global
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985, are hereby rescinded: *Provided*, That such
22 amounts are designated by Congress for Overseas Contin-
23 gency Operations/Global War on Terrorism pursuant to
24 section 251(b)(2)(A)(ii) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985.

1 DESIGNATION

2 SEC. 8005. Each amount designated in this Act by
3 the Congress for Overseas Contingency Operations/Global
4 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985 shall be available (or rescinded, if applicable) only
7 if the President subsequently so designates all such
8 amounts and transmits such designations to the Congress.

9 TITLE IX—ADDITIONAL GENERAL PROVISION

10 REFERENCES TO ACT

11 SEC. 9001. Except as expressly provided otherwise,
12 any reference to “this Act” contained in this division shall
13 be treated as referring only to the provisions of this divi-
14 sion.

15 REFERENCE TO REPORT

16 SEC. 9002. Any reference to a “report accompanying
17 this Act” contained in this division shall be treated as a
18 reference to House Report 115–253. The effect of such
19 Report shall be limited to this division and shall apply for
20 purposes of determining the allocation of funds provided
21 by, and the implementation of, this division.

22 SPENDING REDUCTION ACCOUNT

23 SEC. 9003. \$0

1 This division may be cited as the “Department of
2 State, Foreign Operations, and Related Programs Approp-
3 riations Act, 2018”.

4 **DIVISION H—TRANSPORTATION, HOUSING**
5 **AND URBAN DEVELOPMENT, AND RE-**
6 **LATED AGENCIES APPROPRIATIONS**
7 **ACT, 2018**

8 The following sums are appropriated, out of any
9 money in the Treasury not otherwise appropriated, for the
10 Departments of Transportation, and Housing and Urban
11 Development, and related agencies for the fiscal year end-
12 ing September 30, 2018, and for other purposes, namely:

13 **TITLE I**

14 **DEPARTMENT OF TRANSPORTATION**

15 **OFFICE OF THE SECRETARY**

16 **SALARIES AND EXPENSES**

17 For necessary expenses of the Office of the Secretary,
18 \$108,899,000, of which not to exceed \$2,758,000 shall be
19 available for the immediate Office of the Secretary; not
20 to exceed \$1,040,000 shall be available for the immediate
21 Office of the Deputy Secretary; not to exceed \$20,772,000
22 shall be available for the Office of the General Counsel;
23 not to exceed \$10,033,000 shall be available for the Office
24 of the Under Secretary of Transportation for Policy; not
25 to exceed \$14,019,000 shall be available for the Office of

1 the Assistant Secretary for Budget and Programs; not to
2 exceed \$2,546,000 shall be available for the Office of the
3 Assistant Secretary for Governmental Affairs; not to ex-
4 ceed \$24,255,000 shall be available for the Office of the
5 Assistant Secretary for Administration; not to exceed
6 \$2,142,000 shall be available for the Office of Public Af-
7 fairs; not to exceed \$1,760,000 shall be available for the
8 Office of the Executive Secretariat; not to exceed
9 \$11,089,000 shall be available for the Office of Intel-
10 ligence, Security, and Emergency Response; and not to ex-
11 ceed \$18,485,000 shall be available for the Office of the
12 Chief Information Officer: *Provided*, That the Secretary
13 of Transportation is authorized to transfer funds appro-
14 priated for any office of the Office of the Secretary to any
15 other office of the Office of the Secretary: *Provided fur-*
16 *ther*, That no appropriation for any office shall be in-
17 creased or decreased by more than 10 percent by all such
18 transfers: *Provided further*, That notice of any change in
19 funding greater than 10 percent shall be submitted for
20 approval to the House and Senate Committees on Appro-
21 priations: *Provided further*, That not to exceed \$60,000
22 shall be for allocation within the Department for official
23 reception and representation expenses as the Secretary
24 may determine: *Provided further*, That notwithstanding
25 any other provision of law, excluding fees authorized in

1 Public Law 107–71, there may be credited to this appro-
2 priation up to \$2,500,000 in funds received in user fees.

3 RESEARCH AND TECHNOLOGY

4 For necessary expenses related to the Office of the
5 Assistant Secretary for Research and Technology,
6 \$8,465,109, of which \$2,618,000 shall remain available
7 until September 30, 2020: *Provided*, That there may be
8 credited to this appropriation, to be available until ex-
9 pended, funds received from States, counties, municipali-
10 ties, other public authorities, and private sources for ex-
11 penses incurred for training: *Provided further*, That any
12 reference in law, regulation, judicial proceedings, or else-
13 where to the Research and Innovative Technology Admin-
14 istration shall continue to be deemed to be a reference to
15 the Office of the Assistant Secretary for Research and
16 Technology of the Department of Transportation.

17

18 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE

19 FINANCE BUREAU

20 For necessary expenses of the National Surface
21 Transportation and Innovative Finance Bureau author-
22 ized by 49 U.S.C. 116, \$1,000,000 *Provided*, That the
23 Secretary is required to notify the House and Senate Com-
24 mittees on Appropriations prior to exercising the authori-
25 ties of 49 U.S.C. 116(h).

1

2

CYBER SECURITY INITIATIVES

3

For necessary expenses for cyber security initiatives,
including necessary upgrades to wide area network and
information technology infrastructure, improvement of
network perimeter controls and identity management,
testing and assessment of information technology against
business, security, and other requirements, implementa-
tion of Federal cyber security initiatives and information
infrastructure enhancements, and implementation of en-
hanced security controls on network devices, \$15,000,000,
to remain available through September 30, 2019.

13

OFFICE OF CIVIL RIGHTS

14

For necessary expenses of the Office of Civil Rights,
\$9,500,000.

16

TRANSPORTATION PLANNING, RESEARCH, AND

17

DEVELOPMENT

18

For necessary expenses for conducting transportation
planning, research, systems development, development ac-
tivities, and making grants, to remain available until ex-
pended, \$8,500,001: *Provided*, That of such amount,
\$3,000,000 shall be for necessary expenses of the Inter-
agency Infrastructure Permitting Improvement Center
(IIPIC): *Provided further*, That there may be transferred
to this appropriation, to remain available until expended,

1 amounts transferred from other Federal agencies for ex-
2 penses incurred under this heading for IIPIC activities not
3 related to transportation infrastructure: *Provided further*,
4 That the tools and analysis developed by the IIPIC shall
5 be available to other Federal agencies for the permitting
6 and review of major infrastructure projects not related to
7 transportation only to the extent that other Federal agen-
8 cies provide funding to the Department as provided for
9 under the previous proviso.

10 WORKING CAPITAL FUND

11 For necessary expenses for operating costs and cap-
12 ital outlays of the Working Capital Fund, not to exceed
13 \$202,245,000 shall be paid from appropriations made
14 available to the Department of Transportation: *Provided*,
15 That such services shall be provided on a competitive basis
16 to entities within the Department of Transportation: *Pro-*
17 *vided further*, That the above limitation on operating ex-
18 penses shall not apply to non-DOT entities: *Provided fur-*
19 *ther*, That no funds appropriated in this Act to an agency
20 of the Department shall be transferred to the Working
21 Capital Fund without majority approval of the Working
22 Capital Fund Steering Committee and approval of the
23 Secretary: *Provided further*, That no assessments may be
24 levied against any program, budget activity, subactivity or
25 project funded by this Act unless notice of such assess-

1 ments and the basis therefor are presented to the House
2 and Senate Committees on Appropriations and are ap-
3 proved by such Committees.

4 MINORITY BUSINESS RESOURCE CENTER PROGRAM

5 For necessary expenses of the Minority Business Re-
6 source Center, the provision of financial education out-
7 reach activities to eligible transportation-related small
8 businesses, the monitoring of existing loans in the guaran-
9 teed loan program, and the modification of such loans of
10 the Minority Business Resource Center, \$500,301, as au-
11 thorized by 49 U.S.C. 332; *Provided*, That notwith-
12 standing that section, these funds may be for business op-
13 portunities related to any mode of transportation.

14 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
15 OUTREACH

16 For necessary expenses for small and disadvantaged
17 business utilization and outreach activities, \$3,999,093, to
18 remain available until September 30, 2019: *Provided*,
19 That notwithstanding 49 U.S.C. 332, these funds may be
20 used for business opportunities related to any mode of
21 transportation.

22 PAYMENTS TO AIR CARRIERS

23 (AIRPORT AND AIRWAY TRUST FUND)

24 In addition to funds made available from any other
25 source to carry out the essential air service program under

1 49 U.S.C. 41731 through 41742, \$150,000,000, to be de-
2 rived from the Airport and Airway Trust Fund, to remain
3 available until expended: *Provided*, That in determining
4 between or among carriers competing to provide service
5 to a community, the Secretary may consider the relative
6 subsidy requirements of the carriers: *Provided further*,
7 That basic essential air service minimum requirements
8 shall not include the 15-passenger capacity requirement
9 under subsection 41732(b)(3) of title 49, United States
10 Code: *Provided further*, That none of the funds in this Act
11 or any other Act shall be used to enter into a new contract
12 with a community located less than 40 miles from the
13 nearest small hub airport before the Secretary has nego-
14 tiated with the community over a local cost share: *Pro-*
15 *vided further*, That amounts authorized to be distributed
16 for the essential air service program under subsection
17 41742(b) of title 49, United States Code, shall be made
18 available immediately from amounts otherwise provided to
19 the Administrator of the Federal Aviation Administration:
20 *Provided further*, That the Administrator may reimburse
21 such amounts from fees credited to the account estab-
22 lished under section 45303 of title 49, United States Code.

1 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
2 SECRETARY OF TRANSPORTATION
3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 101. None of the funds made available in this
5 Act to the Department of Transportation may be obligated
6 for the Office of the Secretary of Transportation to ap-
7 prove assessments or reimbursable agreements pertaining
8 to funds appropriated to the modal administrations in this
9 Act, except for activities underway on the date of enact-
10 ment of this Act, unless such assessments or agreements
11 have completed the normal reprogramming process for
12 Congressional notification.

13 SEC. 102. The Secretary shall post on the Web site
14 of the Department of Transportation a schedule of all
15 meetings of the Council on Credit and Finance, including
16 the agenda for each meeting, and require the Council on
17 Credit and Finance to record the decisions and actions
18 of each meeting.

19 SEC. 103. In addition to authority provided by section
20 327 of title 49, United States Code, the Department's
21 Working Capital Fund is hereby authorized to provide
22 partial or full payments in advance and accept subsequent
23 reimbursements from all Federal agencies from available
24 funds for transit benefit distribution services that are nec-
25 essary to carry out the Federal transit pass transportation

1 fringe benefit program under Executive Order 13150 and
2 section 3049 of Public Law 109–59: *Provided*, That the
3 Department shall maintain a reasonable operating reserve
4 in the Working Capital Fund, to be expended in advance
5 to provide uninterrupted transit benefits to Government
6 employees; *Provided further*, That such reserve will not ex-
7 ceed one month of benefits payable and may be used only
8 for the purpose of providing for the continuation of transit
9 benefits; *Provided further*, That the Working Capital Fund
10 will be fully reimbursed by each customer agency for the
11 actual cost of the transit benefit.

12 SEC. 104. Hereafter, the Secretary may transfer to
13 the National Surface Transportation and Innovative Fi-
14 nance Bureau, for the purposes of the Bureau, funds allo-
15 cated to the administrative costs of processing applications
16 for the programs referred to in 49 U.S.C. 116(d)(1) and
17 funds allocated to any office or office function that the
18 Secretary determines has duties, responsibilities, re-
19 sources, or expertise that support the purposes of the Bu-
20 reau: *Provided*, That any such funds, or portions thereof,
21 transferred to the Bureau may be transferred back to and
22 merged with the original account.

23 SEC. 105. Section 503(l)(4) of the Railroad Revital-
24 ization and Regulatory Reform Act of 1976 (45 U.S.C.
25 823(l)(4)) is amended—

1 (1) by striking the heading “SAFETY AND OP-
2 ERATIONS ACCOUNT” and inserting the heading
3 “NATIONAL SURFACE TRANSPORTATION AND INNO-
4 VATIVE FINANCE BUREAU ACCOUNT, OFFICE OF
5 THE SECRETARY”; and

6 (2) in subparagraph (A) by striking “the Safety
7 and Operations account of the Federal Railroad Ad-
8 ministration” and inserting “the National Surface
9 Transportation and Innovative Finance Bureau ac-
10 count.”

11 FEDERAL AVIATION ADMINISTRATION

12 OPERATIONS

13 (AIRPORT AND AIRWAY TRUST FUND)

14 For necessary expenses of the Federal Aviation Ad-
15 ministration, not otherwise provided for, including oper-
16 ations and research activities related to commercial space
17 transportation, administrative expenses for research and
18 development, establishment of air navigation facilities, the
19 operation (including leasing) and maintenance of aircraft,
20 subsidizing the cost of aeronautical charts and maps sold
21 to the public, lease or purchase of passenger motor vehi-
22 cles for replacement only, in addition to amounts made
23 available by Public Law 112–95, \$10,185,482,000, to re-
24 main available until September 30, 2019, of which
25 \$8,859,900,000 shall be derived from the Airport and Air-

1 way Trust Fund, of which not to exceed \$7,691,814,000
2 shall be available for air traffic organization activities; not
3 to exceed \$1,309,749,000 shall be available for aviation
4 safety activities; not to exceed \$21,587,000 shall be avail-
5 able for commercial space transportation activities; not to
6 exceed \$777,506,000 shall be available for finance and
7 management activities; not to exceed \$59,951,000 shall be
8 available for NextGen and operations planning activities;
9 not to exceed \$112,622,000 shall be available for security
10 and hazardous materials safety; and not to exceed
11 \$212,253,000 shall be available for staff offices: *Provided*,
12 That not to exceed 5 percent of any budget activity, except
13 for aviation safety budget activity, may be transferred to
14 any budget activity under this heading: *Provided further*,
15 That no transfer may increase or decrease any appropria-
16 tion by more than 5 percent: *Provided further*, That any
17 transfer in excess of 5 percent shall be treated as a re-
18 programming of funds under section 405 of this Act and
19 shall not be available for obligation or expenditure except
20 in compliance with the procedures set forth in that section:
21 *Provided further*, That not later than March 31 of each
22 fiscal year hereafter, the Administrator of the Federal
23 Aviation Administration shall transmit to Congress an an-
24 nual update to the report submitted to Congress in De-
25 cember 2004 pursuant to section 221 of Public Law 108–

1 176: *Provided further*, That the amount herein appro-
2 priated shall be reduced by \$100,000 for each day after
3 March 31 that such report has not been submitted to the
4 Congress: *Provided further*, That not later than March 31
5 of each fiscal year hereafter, the Administrator shall
6 transmit to Congress a companion report that describes
7 a comprehensive strategy for staffing, hiring, and training
8 flight standards and aircraft certification staff in a format
9 similar to the one utilized for the controller staffing plan,
10 including stated attrition estimates and numerical hiring
11 goals by fiscal year: *Provided further*, That the amount
12 herein appropriated shall be reduced by \$100,000 per day
13 for each day after March 31 that such report has not been
14 submitted to Congress: *Provided further*, That funds may
15 be used to enter into a grant agreement with a nonprofit
16 standard-setting organization to assist in the development
17 of aviation safety standards: *Provided further*, That none
18 of the funds in this Act shall be available for new appli-
19 cants for the second career training program: *Provided*
20 *further*, That none of the funds in this Act shall be avail-
21 able for the Federal Aviation Administration to finalize
22 or implement any regulation that would promulgate new
23 aviation user fees not specifically authorized by law after
24 the date of the enactment of this Act: *Provided further*,
25 That there may be credited to this appropriation, as off-

1 setting collections, funds received from States, counties,
2 municipalities, foreign authorities, other public authori-
3 ties, and private sources for expenses incurred in the pro-
4 vision of agency services, including receipts for the mainte-
5 nance and operation of air navigation facilities, and for
6 issuance, renewal or modification of certificates, including
7 airman, aircraft, and repair station certificates, or for
8 tests related thereto, or for processing major repair or al-
9 teration forms: *Provided further*, That of the funds appro-
10 priated under this heading, not less than \$162,000,000
11 shall be for the contract tower program, including the con-
12 tract tower cost share program: *Provided further*, That
13 none of the funds in this Act for aeronautical charting
14 and cartography are available for activities conducted by,
15 or coordinated through, the Working Capital Fund: *Pro-*
16 *vided further*, That none of the funds appropriated or oth-
17 erwise made available by this Act or any other Act may
18 be used to eliminate the Contract Weather Observers pro-
19 gram at any airport.

20 FACILITIES AND EQUIPMENT

21 (AIRPORT AND AIRWAY TRUST FUND)

22 For necessary expenses, not otherwise provided for,
23 for acquisition, establishment, technical support services,
24 improvement by contract or purchase, and hire of national
25 airspace systems and experimental facilities and equip-

1 ment, as authorized under part A of subtitle VII of title
2 49, United States Code, including initial acquisition of
3 necessary sites by lease or grant; engineering and service
4 testing, including construction of test facilities and acqui-
5 sition of necessary sites by lease or grant; construction
6 and furnishing of quarters and related accommodations
7 for officers and employees of the Federal Aviation Admin-
8 istration stationed at remote localities where such accom-
9 modations are not available; and the purchase, lease, or
10 transfer of aircraft from funds available under this head-
11 ing, including aircraft for aviation regulation and certifi-
12 cation; to be derived from the Airport and Airway Trust
13 Fund, \$2,855,000,000, of which \$493,000,000 shall re-
14 main available until September 30, 2019, \$2,247,000,000
15 shall remain available until September 30, 2020, and
16 \$115,000,000 shall remain available until expended: *Pro-*
17 *vided*, That there may be credited to this appropriation
18 funds received from States, counties, municipalities, other
19 public authorities, and private sources, for expenses in-
20 curred in the establishment, improvement, and moderniza-
21 tion of national airspace systems: *Provided further*, That
22 no later than March 31, the Secretary of Transportation
23 shall transmit to the Congress an investment plan for the
24 Federal Aviation Administration which includes funding
25 for each budget line item for fiscal years 2019 through

1 2023, with total funding for each year of the plan con-
2 strained to the funding targets for those years as esti-
3 mated and approved by the Office of Management and
4 Budget.

5 RESEARCH, ENGINEERING, AND DEVELOPMENT
6 (AIRPORT AND AIRWAY TRUST FUND)

7 For necessary expenses, not otherwise provided for,
8 for research, engineering, and development, as authorized
9 under part A of subtitle VII of title 49, United States
10 Code, including construction of experimental facilities and
11 acquisition of necessary sites by lease or grant,
12 \$170,000,000, to be derived from the Airport and Airway
13 Trust Fund and to remain available until September 30,
14 2020: *Provided*, That there may be credited to this appro-
15 priation as offsetting collections, funds received from
16 States, counties, municipalities, other public authorities,
17 and private sources, which shall be available for expenses
18 incurred for research, engineering, and development.

19 GRANTS-IN-AID FOR AIRPORTS
20 (LIQUIDATION OF CONTRACT AUTHORIZATION)

21 (LIMITATION ON OBLIGATIONS)

22 (AIRPORT AND AIRWAY TRUST FUND)

23 For liquidation of obligations incurred for grants-in-
24 aid for airport planning and development, and noise com-
25 patibility planning and programs as authorized under sub-

1 chapter I of chapter 471 and subchapter I of chapter 475
2 of title 49, United States Code, and under other law au-
3 thorizing such obligations; for procurement, installation,
4 and commissioning of runway incursion prevention devices
5 and systems at airports of such title; for grants authorized
6 under section 41743 of title 49, United States Code; and
7 for inspection activities and administration of airport safe-
8 ty programs, including those related to airport operating
9 certificates under section 44706 of title 49, United States
10 Code, \$3,000,000,000, to be derived from the Airport and
11 Airway Trust Fund and to remain available until ex-
12 pended: *Provided*, That none of the funds under this head-
13 ing shall be available for the planning or execution of pro-
14 grams the obligations for which are in excess of
15 \$3,350,000,000 in fiscal year 2018, notwithstanding sec-
16 tion 47117(g) of title 49, United States Code: *Provided*
17 *further*, That none of the funds under this heading shall
18 be available for the replacement of baggage conveyor sys-
19 tems, reconfiguration of terminal baggage areas, or other
20 airport improvements that are necessary to install bulk ex-
21 plosive detection systems: *Provided further*, That notwith-
22 standing section 47109(a) of title 49, United States Code,
23 the Government's share of allowable project costs under
24 paragraph (2) for subgrants or paragraph (3) of that sec-
25 tion shall be 95 percent for a project at other than a large

1 or medium hub airport that is a successive phase of a
2 multi-phased construction project for which the project
3 sponsor received a grant in fiscal year 2011 for the con-
4 struction project: *Provided further*, That notwithstanding
5 any other provision of law, of funds limited under this
6 heading, not more than \$111,863,000 shall be available
7 for administration, not less than \$15,000,000 shall be
8 available for the Airport Cooperative Research Program,
9 and not less than \$33,210,000 shall be available for Air-
10 port Technology Research.

11 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

12 ADMINISTRATION

13 SEC. 110. None of the funds in this Act may be used
14 to compensate in excess of 600 technical staff-years under
15 the federally funded research and development center con-
16 tract between the Federal Aviation Administration and the
17 Center for Advanced Aviation Systems Development dur-
18 ing fiscal year 2017.

19 SEC. 111. None of the funds in this Act shall be used
20 to pursue or adopt guidelines or regulations requiring air-
21 port sponsors to provide to the Federal Aviation Adminis-
22 tration without cost building construction, maintenance,
23 utilities and expenses, or space in airport sponsor-owned
24 buildings for services relating to air traffic control, air
25 navigation, or weather reporting: *Provided*, That the pro-

1 hibition of funds in this section does not apply to negotia-
2 tions between the agency and airport sponsors to achieve
3 agreement on “below-market” rates for these items or to
4 grant assurances that require airport sponsors to provide
5 land without cost to the FAA for air traffic control facili-
6 ties.

7 SEC. 112. The Administrator of the Federal Aviation
8 Administration may reimburse amounts made available to
9 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
10 49 U.S.C. 45303 and any amount remaining in such ac-
11 count at the close of that fiscal year may be made available
12 to satisfy section 41742(a)(1) for the subsequent fiscal
13 year.

14 SEC. 113. Amounts collected under section 40113(e)
15 of title 49, United States Code, shall be credited to the
16 appropriation current at the time of collection, to be
17 merged with and available for the same purposes of such
18 appropriation.

19 SEC. 114. None of the funds in this Act shall be avail-
20 able for paying premium pay under subsection 5546(a) of
21 title 5, United States Code, to any Federal Aviation Ad-
22 ministration employee unless such employee actually per-
23 formed work during the time corresponding to such pre-
24 mium pay.

1 SEC. 115. None of the funds in this Act may be obli-
2 gated or expended for an employee of the Federal Aviation
3 Administration to purchase a store gift card or gift certifi-
4 cate through use of a Government-issued credit card.

5 SEC. 116. None of the funds in this Act may be obli-
6 gated or expended for retention bonuses for an employee
7 of the Federal Aviation Administration without the prior
8 written approval of the Assistant Secretary for Adminis-
9 tration of the Department of Transportation.

10 SEC. 117. Notwithstanding any other provision of
11 law, none of the funds made available under this Act or
12 any prior Act may be used to implement or to continue
13 to implement any limitation on the ability of any owner
14 or operator of a private aircraft to obtain, upon a request
15 to the Administrator of the Federal Aviation Administra-
16 tion, a blocking of that owner's or operator's aircraft reg-
17 istration number from any display of the Federal Aviation
18 Administration's Aircraft Situational Display to Industry
19 data that is made available to the public, except data made
20 available to a Government agency, for the noncommercial
21 flights of that owner or operator.

22 SEC. 118. None of the funds in this Act shall be avail-
23 able for salaries and expenses of more than nine political
24 and Presidential appointees in the Federal Aviation Ad-
25 ministration.

1 SEC. 119. None of the funds made available under
2 this Act may be used to increase fees pursuant to section
3 44721 of title 49, United States Code, until the Federal
4 Aviation Administration provides to the House and Senate
5 Committees on Appropriations a report that justifies all
6 fees related to aeronautical navigation products and ex-
7 plains how such fees are consistent with Executive Order
8 13642.

9 SEC. 119A. None of the funds in this Act may be
10 used to close a regional operations center of the Federal
11 Aviation Administration or reduce its services unless the
12 Administrator notifies the House and Senate Committees
13 on Appropriations not less than 90 full business days in
14 advance.

15 SEC. 119B. None of the funds appropriated or lim-
16 ited by this Act may be used to change weight restrictions
17 or prior permission rules at Teterboro airport in
18 Teterboro, New Jersey.

19 SEC. 119C. None of the funds provided under this
20 Act may be used by the Administrator of the Federal Avia-
21 tion Administration to withhold from consideration and
22 approval any application for participation in the Contract
23 Tower Program, or for reevaluation of Cost-share Pro-
24 gram participants, pending as of January 1, 2016, as long
25 as the Federal Aviation Administration has received an

1 application from the airport, and as long as the Adminis-
2 trator determines such tower is eligible using the factors
3 set forth in the Federal Aviation Administration report,
4 Establishment and Discontinuance Criteria for Airport
5 Traffic Control Towers (FAA–APO–90–7 as of August,
6 1990).

7 SEC. 119D. Notwithstanding any other provision of
8 law, none of the funds made available in this Act may be
9 obligated or expended to limit an Organization Designa-
10 tion Authorization holder from utilizing authorized dele-
11 gated functions, unless the FAA documents, through sur-
12 veillance, oversight or accident/incident finding, a systemic
13 airworthiness noncompliance performance issue on the
14 part of the ODA holder with regard to a specific function
15 or where an ODA’s capability has not been previously es-
16 tablished in terms of a new compliance method or design
17 feature: *Provided*, that where the FAA has limited the au-
18 thority of the ODA the FAA shall work with the ODA
19 holder to develop the capability to execute that function
20 safely and effectively.

1 FEDERAL HIGHWAY ADMINISTRATION
2 LIMITATION ON ADMINISTRATIVE EXPENSES
3 (HIGHWAY TRUST FUND)
4 (INCLUDING TRANSFER OF FUNDS)

5 Not to exceed \$439,443,925, together with advances
6 and reimbursements received by the Federal Highway Ad-
7 ministration, shall be obligated for necessary expenses for
8 administration and operation of the Federal Highway Ad-
9 ministration. In addition, \$3,248,000 shall be transferred
10 to the Appalachian Regional Commission in accordance
11 with section 104(a) of title 23, United States Code.

12 FEDERAL-AID HIGHWAYS
13 (LIMITATION ON OBLIGATIONS)
14 (HIGHWAY TRUST FUND)

15 Funds available for the implementation or execution
16 of Federal-aid highway and highway safety construction
17 programs authorized under titles 23 and 49, United States
18 Code, and the provisions of the Fixing America's Surface
19 Transportation Act shall not exceed total obligations of
20 \$44,234,212,000 for fiscal year 2018: *Provided*, That the
21 Secretary may collect and spend fees, as authorized by
22 title 23, United States Code, to cover the costs of services
23 of expert firms, including counsel, in the field of municipal
24 and project finance to assist in the underwriting and serv-
25 icing of Federal credit instruments and all or a portion

1 of the costs to the Federal Government of servicing such
2 credit instruments: *Provided further*, That such fees are
3 available until expended to pay for such costs: *Provided*
4 *further*, That such amounts are in addition to administra-
5 tive expenses that are also available for such purpose, and
6 are not subject to any obligation limitation or the limita-
7 tion on administrative expenses under section 608 of title
8 23, United States Code.

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (HIGHWAY TRUST FUND)

11 For the payment of obligations incurred in carrying
12 out Federal-aid highway and highway safety construction
13 programs authorized under title 23, United States Code,
14 \$44,973,212,000 derived from the Highway Trust Fund
15 (other than the Mass Transit Account), to remain avail-
16 able until expended.

17 (RESCISSION)

18 (HIGHWAY TRUST FUND)

19 Of the unobligated balances of funds apportioned
20 among the States under chapter 1 of title 23, United
21 States Code, a total of \$800,000,000 is hereby perma-
22 nently rescinded on November 30, 2017: *Provided*, That
23 such rescission shall not apply to funds distributed in ac-
24 cordance with sections 104(b)(3) and 130(f) of title 23,
25 United States Code; section 133(d)(1)(A) of such title; the

1 first sentence of section 133(d)(3)(A) of such title, as in
2 effect on the day before the date of enactment of MAP–
3 21 (Public Law 112–141); sections 133(d)(1) and 163 of
4 such title, as in effect on the day before the date of enact-
5 ment of SAFETEA–LU (Public Law 109–59); and sec-
6 tion 104(b)(5) of such title, as in effect on the day before
7 the date of enactment of MAP–21 (Public Law 112–141):
8 *Provided further*, That such rescission shall not apply to
9 funds that are exempt from the obligation limitation or
10 subject to special no-year obligation limitation: *Provided*
11 *further*, That the amount to be rescinded from a State
12 shall be determined by multiplying the total amount of the
13 rescission by the ratio that the unobligated balances sub-
14 ject to the rescission as of September 30, 2017, for the
15 State; bears to the unobligated balances subject to the re-
16 scission as of September 30, 2017, for all States: *Provided*
17 *further*, That the amount to be rescinded under this sec-
18 tion from each program to which the rescission applies
19 within a State shall be determined by multiplying the re-
20 scission amount calculated for such State by the ratio that
21 the unobligated balance as of September 30, 2017, for
22 such program in such State; bears to the unobligated bal-
23 ances as of September 30, 2017, for all programs to which
24 the rescission applies in such State.

1 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

2 ADMINISTRATION

3 SEC. 120. (a) For fiscal year 2018, the Secretary of
4 Transportation shall—

5 (1) not distribute from the obligation limitation
6 for Federal-aid highways—

7 (A) amounts authorized for administrative
8 expenses and programs by section 104(a) of
9 title 23, United States Code; and

10 (B) amounts authorized for the Bureau of
11 Transportation Statistics;

12 (2) not distribute an amount from the obliga-
13 tion limitation for Federal-aid highways that is equal
14 to the unobligated balance of amounts—

15 (A) made available from the Highway
16 Trust Fund (other than the Mass Transit Ac-
17 count) for Federal-aid highway and highway
18 safety construction programs for previous fiscal
19 years the funds for which are allocated by the
20 Secretary (or apportioned by the Secretary
21 under sections 202 or 204 of title 23, United
22 States Code); and

23 (B) for which obligation limitation was
24 provided in a previous fiscal year;

25 (3) determine the proportion that—

1 (A) the obligation limitation for Federal-
2 aid highways, less the aggregate of amounts not
3 distributed under paragraphs (1) and (2) of
4 this subsection; bears to

5 (B) the total of the sums authorized to be
6 appropriated for the Federal-aid highway and
7 highway safety construction programs (other
8 than sums authorized to be appropriated for
9 provisions of law described in paragraphs (1)
10 through (11) of subsection (b) and sums au-
11 thorized to be appropriated for section 119 of
12 title 23, United States Code, equal to the
13 amount referred to in subsection (b)(12) for
14 such fiscal year), less the aggregate of the
15 amounts not distributed under paragraphs (1)
16 and (2) of this subsection;

17 (4) distribute the obligation limitation for Fed-
18 eral-aid highways, less the aggregate amounts not
19 distributed under paragraphs (1) and (2), for each
20 of the programs (other than programs to which
21 paragraph (1) applies) that are allocated by the Sec-
22 retary under the Fixing America's Surface Trans-
23 portation Act and title 23, United States Code, or
24 apportioned by the Secretary under sections 202 or
25 204 of that title, by multiplying—

1 (A) the proportion determined under para-
2 graph (3); by

3 (B) the amounts authorized to be appro-
4 priated for each such program for such fiscal
5 year; and

6 (5) distribute the obligation limitation for Fed-
7 eral-aid highways, less the aggregate amounts not
8 distributed under paragraphs (1) and (2) and the
9 amounts distributed under paragraph (4), for Fed-
10 eral-aid highway and highway safety construction
11 programs that are apportioned by the Secretary
12 under title 23, United States Code (other than the
13 amounts apportioned for the National Highway Per-
14 formance Program in section 119 of title 23, United
15 States Code, that are exempt from the limitation
16 under subsection (b)(12) and the amounts appor-
17 tioned under sections 202 and 204 of that title) in
18 the proportion that—

19 (A) amounts authorized to be appropriated
20 for the programs that are apportioned under
21 title 23, United States Code, to each State for
22 such fiscal year; bears to

23 (B) the total of the amounts authorized to
24 be appropriated for the programs that are ap-

1 portioned under title 23, United States Code, to
2 all States for such fiscal year.

3 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

4 The obligation limitation for Federal-aid highways shall
5 not apply to obligations under or for—

6 (1) section 125 of title 23, United States Code;

7 (2) section 147 of the Surface Transportation
8 Assistance Act of 1978 (23 U.S.C. 144 note; 92
9 Stat. 2714);

10 (3) section 9 of the Federal-Aid Highway Act
11 of 1981 (95 Stat. 1701);

12 (4) subsections (b) and (j) of section 131 of the
13 Surface Transportation Assistance Act of 1982 (96
14 Stat. 2119);

15 (5) subsections (b) and (c) of section 149 of the
16 Surface Transportation and Uniform Relocation As-
17 sistance Act of 1987 (101 Stat. 198);

18 (6) sections 1103 through 1108 of the Inter-
19 modal Surface Transportation Efficiency Act of
20 1991 (105 Stat. 2027);

21 (7) section 157 of title 23, United States Code
22 (as in effect on June 8, 1998);

23 (8) section 105 of title 23, United States Code
24 (as in effect for fiscal years 1998 through 2004, but

1 only in an amount equal to \$639,000,000 for each
2 of those fiscal years);

3 (9) Federal-aid highway programs for which ob-
4 ligation authority was made available under the
5 Transportation Equity Act for the 21st Century
6 (112 Stat. 107) or subsequent Acts for multiple
7 years or to remain available until expended, but only
8 to the extent that the obligation authority has not
9 lapsed or been used;

10 (10) section 105 of title 23, United States Code
11 (as in effect for fiscal years 2005 through 2012, but
12 only in an amount equal to \$639,000,000 for each
13 of those fiscal years);

14 (11) section 1603 of SAFETEA-LU (23
15 U.S.C. 118 note; 119 Stat. 1248), to the extent that
16 funds obligated in accordance with that section were
17 not subject to a limitation on obligations at the time
18 at which the funds were initially made available for
19 obligation; and

20 (12) section 119 of title 23, United States Code
21 (but, for each of fiscal years 2013 through 2018,
22 only in an amount equal to \$639,000,000).

23 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
24 THORITY.—Notwithstanding subsection (a), the Secretary
25 shall, after August 1 of such fiscal year—

1 (1) revise a distribution of the obligation limita-
2 tion made available under subsection (a) if an
3 amount distributed cannot be obligated during that
4 fiscal year; and

5 (2) redistribute sufficient amounts to those
6 States able to obligate amounts in addition to those
7 previously distributed during that fiscal year, giving
8 priority to those States having large unobligated bal-
9 ances of funds apportioned under sections 144 (as in
10 effect on the day before the date of enactment of
11 Public Law 112–141) and 104 of title 23, United
12 States Code.

13 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
14 TRANSPORTATION RESEARCH PROGRAMS.—

15 (1) IN GENERAL.—Except as provided in para-
16 graph (2), the obligation limitation for Federal-aid
17 highways shall apply to contract authority for trans-
18 portation research programs carried out under—

19 (A) chapter 5 of title 23, United States
20 Code; and

21 (B) title VI of the Fixing America’s Sur-
22 face Transportation Act.

23 (2) EXCEPTION.—Obligation authority made
24 available under paragraph (1) shall—

1 (A) remain available for a period of 4 fis-
2 cal years; and

3 (B) be in addition to the amount of any
4 limitation imposed on obligations for Federal-
5 aid highway and highway safety construction
6 programs for future fiscal years.

7 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
8 FUNDS.—

9 (1) IN GENERAL.—Not later than 30 days after
10 the date of distribution of obligation limitation
11 under subsection (a), the Secretary shall distribute
12 to the States any funds (excluding funds authorized
13 for the program under section 202 of title 23,
14 United States Code) that—

15 (A) are authorized to be appropriated for
16 such fiscal year for Federal-aid highway pro-
17 grams; and

18 (B) the Secretary determines will not be
19 allocated to the States (or will not be appor-
20 tioned to the States under section 204 of title
21 23, United States Code), and will not be avail-
22 able for obligation, for such fiscal year because
23 of the imposition of any obligation limitation for
24 such fiscal year.

1 (2) **RATIO.**—Funds shall be distributed under
2 paragraph (1) in the same proportion as the dis-
3 tribution of obligation authority under subsection
4 (a)(5).

5 (3) **AVAILABILITY.**—Funds distributed to each
6 State under paragraph (1) shall be available for any
7 purpose described in section 133(b) of title 23,
8 United States Code.

9 **SEC. 121.** Notwithstanding 31 U.S.C. 3302, funds re-
10 ceived by the Bureau of Transportation Statistics from the
11 sale of data products, for necessary expenses incurred pur-
12 suant to chapter 63 of title 49, United States Code, may
13 be credited to the Federal-aid highways account for the
14 purpose of reimbursing the Bureau for such expenses:
15 *Provided*, That such funds shall be subject to the obliga-
16 tion limitation for Federal-aid highway and highway safety
17 construction programs.

18 **SEC. 122.** Not less than 15 days prior to waiving,
19 under his or her statutory authority, any Buy America re-
20 quirement for Federal-aid highways projects, the Sec-
21 retary of Transportation shall make an informal public no-
22 tice and comment opportunity on the intent to issue such
23 waiver and the reasons therefor: *Provided*, That the Sec-
24 retary shall provide an annual report to the House and

1 Senate Committees on Appropriations on any waivers
2 granted under the Buy America requirements.

3 SEC. 123. None of the funds in this Act to the De-
4 partment of Transportation may be used to provide credit
5 assistance unless not less than 3 days before any applica-
6 tion approval to provide credit assistance under sections
7 603 and 604 of title 23, United States Code, the Secretary
8 of Transportation provides notification in writing to the
9 following committees: the House and Senate Committees
10 on Appropriations; the Committee on Environment and
11 Public Works and the Committee on Banking, Housing
12 and Urban Affairs of the Senate; and the Committee on
13 Transportation and Infrastructure of the House of Rep-
14 resentatives: *Provided*, That such notification shall in-
15 clude, but not be limited to, the name of the project spon-
16 sor; a description of the project; whether credit assistance
17 will be provided as a direct loan, loan guarantee, or line
18 of credit; and the amount of credit assistance.

19 SEC. 124. None of the funds in this Act may be used
20 to make a grant for a project under section 117 of title
21 23, United States Code, unless the Secretary, at least 60
22 days before making a grant under that section, provides
23 written notification to the House and Senate Committees
24 on Appropriations of the proposed grant, including an

1 evaluation and justification for the project and the amount
2 of the proposed grant award.

3 SEC. 125. For this fiscal year, the Federal Highway
4 Administration shall reinstate Interim Approval IA-5, re-
5 lating to the provisional use of an alternative lettering
6 style on certain highway guide signs, as it existed before
7 its termination, as announced in the Federal Register on
8 January 25, 2016 [(81 Fed. Reg. 4083)].

9 SEC. 126. Section 127(t) of title 23, United States
10 Code, is amended—

11 (1) in the subsection heading by inserting
12 “NORTH DAKOTA AND” before “IDAHO”;

13 (2) in the matter preceding paragraph (1) by
14 inserting “North Dakota or” before “Idaho”; and

15 (3) in paragraph (3) by striking “Idaho State
16 law” and inserting “the law of the relevant State”.

17 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

18 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

19 (LIQUIDATION OF CONTRACT AUTHORIZATION)

20 (LIMITATION ON OBLIGATIONS)

21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in the implemen-
23 tation, execution and administration of motor carrier safe-
24 ty operations and programs pursuant to section 31110 of
25 title 49, United States Code, as amended by the Fixing

1 America's Surface Transportation Act, \$283,000,000, to
2 be derived from the Highway Trust Fund (other than the
3 Mass Transit Account), together with advances and reim-
4 bursements received by the Federal Motor Carrier Safety
5 Administration, the sum of which shall remain available
6 until expended: *Provided*, That funds available for imple-
7 mentation, execution or administration of motor carrier
8 safety operations and programs authorized under title 49,
9 United States Code, shall not exceed total obligations of
10 \$283,000,000 for "Motor Carrier Safety Operations and
11 Programs" for fiscal year 2018, of which \$9,073,000, to
12 remain available for obligation until September 30, 2020,
13 is for the research and technology program, and of which
14 \$34,824,000, to remain available for obligation until Sep-
15 tember 30, 2020, is for information management.

16 MOTOR CARRIER SAFETY GRANTS

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (LIMITATION ON OBLIGATIONS)

19 (HIGHWAY TRUST FUND)

20 For payment of obligations incurred in carrying out
21 sections 31102, 31103, 31104, and 31313 of title 49,
22 United States Code, as amended by the Fixing America's
23 Surface Transportation Act, \$374,800,000, to be derived
24 from the Highway Trust Fund (other than the Mass Tran-
25 sit Account) and to remain available until expended: *Pro-*

1 *vided*, That funds available for the implementation or exe-
2 cution of motor carrier safety programs shall not exceed
3 total obligations of \$374,800,000 in fiscal year 2018 for
4 “Motor Carrier Safety Grants”; of which \$298,900,000
5 shall be available for the motor carrier safety assistance
6 program, \$31,800,000 shall be available for the commer-
7 cial driver’s license program implementation program,
8 \$43,100,000 shall be available for the high priority activi-
9 ties program, and \$1,000,000 shall be available for the
10 commercial motor vehicle operators grant program: *Pro-*
11 *vided further*, That of the amounts provided for Commer-
12 cial Vehicle Information Systems Network Development or
13 other Motor Carrier Safety grants in the Transportation
14 Equity Act for the 21st Century (Public Law 105–178),
15 SAFETEA-LU (Public Law 109–59), or other appropria-
16 tion or authorization acts prior to Fiscal Year 2017,
17 \$100,000,000 in additional obligation limitation is pro-
18 vided for a highly automated commercial vehicle research
19 and development program, in accordance with 49 U.S.C.
20 31108, and shall remain available until September 30,
21 2022: *Provided further*, That the activities funded by the
22 previous proviso may be accomplished through direct ex-
23 penditure, direct research activities, grants, cooperative
24 agreements, contracts, intra or interagency agreements,
25 other agreements with private and public organizations,

1 and transfers to other Federal agencies for activities
2 under this heading: *Provided further*, That such funds as
3 necessary for payment of obligations incurred in carrying
4 out this section shall be derived from the Highway Trust
5 Fund (other than the Mass Transit Account), to be avail-
6 able until expended.

7 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

8 CARRIER SAFETY ADMINISTRATION

9 SEC. 130. Funds appropriated or limited in this Act
10 shall be subject to the terms and conditions stipulated in
11 section 350 of Public Law 107–87 and section 6901 of
12 Public Law 110–28.

13 SEC. 131. The Federal Motor Carrier Safety Admin-
14 istration shall send notice of 49 CFR section 385.308 vio-
15 lations by certified mail, registered mail, or another man-
16 ner of delivery, which records the receipt of the notice by
17 the persons responsible for the violations.

18 SEC. 132. None of the funds appropriated or other-
19 wise made available to the Department of Transportation
20 by this Act or any other Act may be obligated or expended
21 to implement, administer, or enforce the requirements of
22 section 31137 of title 49, United States Code, or any regu-
23 lation issued by the Secretary pursuant to such section,
24 with respect to the use of electronic logging devices by op-
25 erators of commercial motor vehicles, as defined in section

1 31132(1) of such title, transporting livestock as defined
2 in section 602 of the Emergency Livestock Feed Assist-
3 ance Act of 1988 (7 U.S.C. 1471) or insects.

4 SEC. 133. None of the funds appropriated or other-
5 wise made available by this Act or any other Act may be
6 used to amend, revise or otherwise modify by rulemaking,
7 guidance, or interpretation the regulations in effect on De-
8 cember 4, 2015 relating to safety fitness determinations
9 for motor carriers until the Inspector General of the De-
10 partment of Transportation makes the certifications set
11 out in section 5223(a) of Public Law 114–94.

12 SEC. 134. FEDERAL AUTHORITY.

13 (a) IN GENERAL.—Section 14501(c) of title 49,
14 United States Code, is amended—

15 (1) in paragraph (1) by striking “paragraphs
16 (2) and (3)” and inserting “paragraphs (3) and
17 (4)”;

18 (2) by redesignating paragraphs (2) through
19 (5) as paragraphs (3) through (6) respectively;

20 (3) by inserting after paragraph (1) the fol-
21 lowing:

22 “(2) ADDITIONAL LIMITATION.—

23 “(A) IN GENERAL.—A State, political sub-
24 division of a State, or political authority of 2 or
25 more States may not enact or enforce a law,

1 regulation, or other provision having the force
2 and effect of law prohibiting employees whose
3 hours of service are subject to regulation by the
4 Secretary under section 31502 from working to
5 the full extent permitted or at such times as
6 permitted under such section, or imposing any
7 additional obligations on motor carriers if such
8 employees work to the full extent or at such
9 times as permitted under such section, includ-
10 ing any related activities regulated under part
11 395 of title 49, Code of Federal Regulations.

12 “(B) STATUTORY CONSTRUCTION.—Noth-
13 ing in this paragraph may be construed to limit
14 the provisions of paragraph (1).”;

15 (4) in paragraph (3) (as redesignated) by strik-
16 ing “Paragraph (1)—” and inserting “Paragraphs
17 (1) and (2)—”; and

18 (5) in paragraph (4)(A) (as redesignated) by
19 striking “Paragraph (1)” and inserting “Paragraphs
20 (1) and (2)”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 this section shall have the force and effect as if enacted
23 on the date of enactment of the Federal Aviation Adminis-
24 tration Authorization Act of 1994 (Public Law 103–305).

1 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
2 OPERATIONS AND RESEARCH

3 For expenses necessary to discharge the functions of
4 the Secretary, with respect to traffic and highway safety
5 authorized under chapter 301 and part C of subtitle VI
6 of title 49, United States Code, \$180,075,000, of which
7 \$20,000,000 shall remain available through September
8 30, 2019.

9 OPERATIONS AND RESEARCH
10 (LIQUIDATION OF CONTRACT AUTHORIZATION)
11 (LIMITATION ON OBLIGATIONS)
12 (HIGHWAY TRUST FUND)

13 For payment of obligations incurred in carrying out
14 the provisions of 23 U.S.C. 403, section 4011 of the Fix-
15 ing America's Surface Transportation (FAST) Act, and
16 chapter 303 of title 49, United States Code,
17 \$149,000,000, to be derived from the Highway Trust
18 Fund (other than the Mass Transit Account) and to re-
19 main available until expended: *Provided*, That none of the
20 funds in this Act shall be available for the planning or
21 execution of programs the total obligations for which, in
22 fiscal year 2018, are in excess of \$149,000,000, of which
23 \$143,700,000 shall be for programs authorized under 23
24 U.S.C. 403 and \$5,300,000 shall be for the National Driv-
25 er Register authorized under chapter 303 of title 49,

1 United States Code: *Provided further*, That within the
2 \$149,000,000 obligation limitation for operations and re-
3 search, \$20,000,000 shall remain available until Sep-
4 tember 30, 2019, and shall be in addition to the amount
5 of any limitation imposed on obligations for future years.

6 HIGHWAY TRAFFIC SAFETY GRANTS

7 (LIQUIDATION OF CONTRACT AUTHORIZATION)

8 (LIMITATION ON OBLIGATIONS)

9 (HIGHWAY TRUST FUND)

10 For payment of obligations incurred in carrying out
11 provisions of 23 U.S.C. 402, 404 and 405, and section
12 4001(a)(6) of the Fixing America's Surface Transpor-
13 tation Act, to remain available until expended,
14 \$597,629,000, to be derived from the Highway Trust
15 Fund (other than the Mass Transit Account): *Provided*,
16 That none of the funds in this Act shall be available for
17 the planning or execution of programs the total obligations
18 for which, in fiscal year 2018, are in excess of
19 \$597,629,000 for programs authorized under 23 U.S.C.
20 402, 404 and 405, and section 4001(a)(6) of the Fixing
21 America's Surface Transportation Act, of which
22 \$261,200,000 shall be for "Highway Safety Programs"
23 under 23 U.S.C. 402; \$280,200,000 shall be for "National
24 Priority Safety Programs" under 23 U.S.C. 405;
25 \$29,900,000 shall be for "High Visibility Enforcement

1 Program” under 23 U.S.C. 404; \$26,329,000 shall be for
2 “Administrative Expenses” under section 4001(a)(6) of
3 the Fixing America’s Surface Transportation Act: *Pro-*
4 *vided further*, That none of these funds shall be used for
5 construction, rehabilitation, or remodeling costs, or for of-
6 fice furnishings and fixtures for State, local or private
7 buildings or structures: *Provided further*, That not to ex-
8 ceed \$500,000 of the funds made available for “National
9 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
10 paired Driving Countermeasures” (as described in sub-
11 section (d) of that section) shall be available for technical
12 assistance to the States: *Provided further*, That with re-
13 spect to the “Transfers” provision under 23 U.S.C.
14 405(a)(8), any amounts transferred to increase the
15 amounts made available under section 402 shall include
16 the obligation authority for such amounts: *Provided fur-*
17 *ther*, That the Administrator shall notify the House and
18 Senate Committees on Appropriations of any exercise of
19 the authority granted under the previous proviso or under
20 23 U.S.C. 405(a)(8) within 5 days.

21 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

22 TRAFFIC SAFETY ADMINISTRATION

23 SEC. 140. An additional \$130,000 shall be made
24 available to the National Highway Traffic Safety Adminis-
25 tration, out of the amount limited for section 402 of title

1 23, United States Code, to pay for travel and related ex-
2 penses for State management reviews and to pay for core
3 competency development training and related expenses for
4 highway safety staff.

5 SEC. 141. The limitations on obligations for the pro-
6 grams of the National Highway Traffic Safety Adminis-
7 tration set in this Act shall not apply to obligations for
8 which obligation authority was made available in previous
9 public laws but only to the extent that the obligation au-
10 thority has not lapsed or been used.

11 SEC. 142. None of the funds made available by this
12 Act may be used to obligate or award funds for the Na-
13 tional Highway Traffic Safety Administration's National
14 Roadside Survey.

15 SEC. 143. None of the funds made available by this
16 Act may be used to mandate global positioning system
17 (GPS) tracking in private passenger motor vehicles with-
18 out providing full and appropriate consideration of privacy
19 concerns under 5 U.S.C. chapter 5, subchapter II.

20 FEDERAL RAILROAD ADMINISTRATION

21 SAFETY AND OPERATIONS

22 For necessary expenses of the Federal Railroad Ad-
23 ministration, not otherwise provided for, \$218,298,000, of
24 which \$15,900,000 shall remain available until expended.

1 RAILROAD RESEARCH AND DEVELOPMENT

2 For necessary expenses for railroad research and de-
3 velopment, \$40,100,000, to remain available until ex-
4 pended.

5 RAILROAD REHABILITATION AND IMPROVEMENT

6 FINANCING PROGRAM

7 The Secretary of Transportation is authorized to
8 issue direct loans and loan guarantees pursuant to sec-
9 tions 501 through 504 of the Railroad Revitalization and
10 Regulatory Reform Act of 1976 (Public Law 94–210), as
11 amended, such authority shall exist as long as any such
12 direct loan or loan guarantee is outstanding: *Provided*,
13 That pursuant to section 502 of such Act, as amended,
14 no new direct loans or loan guarantee commitments shall
15 be made using Federal funds for the credit risk premium
16 during fiscal year 2018, except for federal funds awarded
17 in accordance with section 3028(c) of Public Law 114–
18 94.

19 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD

20 REPAIR

21 For necessary expenses related to Federal-State
22 Partnership for State of Good Repair grants as authorized
23 by section 24911 of title 49, United States Code,
24 \$500,000,000, to remain available until expended: *Pro-*
25 *vided*, That the Secretary may withhold up to one percent

1 of the amount provided under this heading for the costs
2 of award and project management oversight of grants car-
3 ried out under section 24911 of title 49, United States
4 Code: *Provided further*, That in selecting an applicant for
5 a grant, the Secretary shall first give preference to eligible
6 projects for which the environmental impact statement re-
7 quired under the National Environmental Policy Act and
8 design work is already complete at the time of the grant
9 application review, or to projects that address major crit-
10 ical assets which have conditions that pose a substantial
11 risk now or in the future to the reliability of train service.

12 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
13 IMPROVEMENTS

14 For necessary expenses related to Consolidated Rail
15 Infrastructure and Safety Improvements Grants as au-
16 thorized by section 24407 of title 49, United States Code,
17 \$25,000,000, to remain available until expended: *Pro-*
18 *vided*, That the Secretary may withhold up to one percent
19 of the amount provided under this heading for the costs
20 of award and project management oversight of grants car-
21 ried out under section 24407 of title 49, United States
22 Code.

1 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
2 RAILROAD PASSENGER CORPORATION

3 To enable the Secretary of Transportation to make
4 grants to the National Railroad Passenger Corporation for
5 activities associated with the Northeast Corridor as au-
6 thorized by section 11101(a) of the Fixing America's Sur-
7 face Transportation Act (division A of Public Law 114-
8 94), \$328,000,000, to remain available until expended:
9 *Provided*, That the Secretary may retain up to one-half
10 of 1 percent of the funds provided under both this heading
11 and the "National Network Grants to the National Rail-
12 road Passenger Corporation" heading to fund the costs
13 of project management and oversight of activities author-
14 ized by section 11101(c) of division A of Public Law 114-
15 94: *Provided further*, That in addition to the project man-
16 agement oversight funds authorized under section
17 11101(c) of division A of Public Law 114-94, the Sec-
18 retary may retain up to an additional \$5,000,000 of the
19 funds provided under this heading to fund expenses associ-
20 ated with the Northeast Corridor Commission established
21 under section 24905 of title 49, United States Code: *Pro-*
22 *vided further*, That of the amounts made available under
23 this heading and the "National Network Grants to the Na-
24 tional Railroad Passenger Corporation" heading, not less
25 than \$50,000,000 shall be made available to bring Am-

1 trak-served facilities and stations into compliance with the
2 Americans with Disabilities Act.

3 NATIONAL NETWORK GRANTS TO THE NATIONAL
4 RAILROAD PASSENGER CORPORATION

5 To enable the Secretary of Transportation to make
6 grants to the National Railroad Passenger Corporation for
7 activities associated with the National Network as author-
8 ized by section 11101(b) of the Fixing America's Surface
9 Transportation Act (division A of Public Law 114–94),
10 \$1,100,000,000, to remain available until expended: *Pro-*
11 *vided*, That the Secretary may retain up to an additional
12 \$2,000,000 of the funds provided under this heading to
13 fund expenses associated with the State-Supported Route
14 Committee established under section 24712 of title 49,
15 United States Code.

16 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD
17 ADMINISTRATION

18 SEC. 150. None of the funds provided to the National
19 Railroad Passenger Corporation may be used to fund any
20 overtime costs in excess of \$35,000 for any individual em-
21 ployee: *Provided*, That the President of Amtrak may waive
22 the cap set in the previous proviso for specific employees
23 when the President of Amtrak determines such a cap
24 poses a risk to the safety and operational efficiency of the
25 system: *Provided further*, That the President of Amtrak

1 shall report to the House and Senate Committees on Ap-
2 propriations each quarter within 30 days of such quarter
3 of the calendar year on waivers granted to employees and
4 amounts paid above the cap for each month within such
5 quarter and delineate the reasons each waiver was grant-
6 ed: *Provided further*, That the President of Amtrak shall
7 report to the House and Senate Committees on Appropria-
8 tions by March 1, 2018, a summary of all overtime pay-
9 ments incurred by the Corporation for 2017 and the three
10 prior calendar years: *Provided further*, That such sum-
11 mary shall include the total number of employees that re-
12 ceived waivers and the total overtime payments the Cor-
13 poration paid to those employees receiving waivers for
14 each month for 2017 and for the three prior calendar
15 years.

16 SEC. 151. None of the funds made available by this
17 Act may be used for high-speed rail in the State of Cali-
18 fornia or for the California High-Speed Rail Authority,
19 nor may any be used by the Federal Railroad Administra-
20 tion to administer a grant agreement with the California
21 High-Speed Rail Authority that contains a tapered match-
22 ing requirement.

23 SEC. 152. None of the funds made available by this
24 Act shall be used by the Surface Transportation Board
25 to take any actions with respect to the construction of a

1 high speed rail project in California unless the permit is
2 issued by the Board with respect to the project in its en-
3 tirety.

4 FEDERAL TRANSIT ADMINISTRATION

5 ADMINISTRATIVE EXPENSES

6 For necessary administrative expenses of the Federal
7 Transit Administration's programs authorized by chapter
8 53 of title 49, United States Code, \$110,794,692: *Pro-*
9 *vided*, That none of the funds provided or limited in this
10 Act may be used to create a permanent office of transit
11 security under this heading: *Provided further*, That upon
12 submission to the Congress of the fiscal year 2019 Presi-
13 dent's budget, the Secretary of Transportation shall trans-
14 mit to Congress the annual report on New Starts, includ-
15 ing proposed allocations for fiscal year 2019.

16 TRANSIT FORMULA GRANTS

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (LIMITATION ON OBLIGATIONS)

19 (HIGHWAY TRUST FUND)

20 For payment of obligations incurred in the Federal
21 Public Transportation Assistance Program in this ac-
22 count, and for payment of obligations incurred in carrying
23 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
24 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
25 5340, as amended by the Fixing America's Surface Trans-

1 portation Act, and section 20005(b) of Public Law 112–
2 141, and section 3006(b) of the Fixing America’s Surface
3 Transportation Act, \$10,300,000,000, to be derived from
4 the Mass Transit Account of the Highway Trust Fund
5 and to remain available until expended: *Provided*, That
6 funds available for the implementation or execution of pro-
7 grams authorized under 49 U.S.C. 5305, 5307, 5310,
8 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339,
9 and 5340, as amended by the Fixing America’s Surface
10 Transportation Act, and section 20005(b) of Public Law
11 112–141, and section 3006(b) of the Fixing America’s
12 Surface Transportation Act, shall not exceed total obliga-
13 tions of \$9,733,353,407 in fiscal year 2018.

14 TECHNICAL ASSISTANCE AND TRAINING

15 For necessary expenses to carry out 49 U.S.C. 5314,
16 \$5,000,000.

17 CAPITAL INVESTMENT GRANTS

18 For necessary expenses to carry out 49 U.S.C. 5309,
19 \$1,752,989,851, to remain available until expended, of
20 which \$1,007,929,851 shall be available for projects au-
21 thorized under section 5309(d) of title 49, United States
22 Code, \$145,700,000 shall be available for projects author-
23 ized under section 5309(e) of such title, \$182,000,000
24 shall be available for projects authorized under section
25 5309(h) of the title, and \$400,000,000 shall be available

1 for projects authorized under section 5309(q): *Provided*,
2 That the Secretary shall continue to administer the Cap-
3 ital Investment Grant Program in accordance with the
4 procedural and substantive requirements of section 5309
5 of title 49.

6 GRANTS TO THE WASHINGTON METROPOLITAN AREA

7 TRANSIT AUTHORITY

8 For grants to the Washington Metropolitan Area
9 Transit Authority as authorized under section 601 of divi-
10 sion B of Public Law 110–432, \$150,000,000, to remain
11 available until expended: *Provided*, That the Secretary of
12 Transportation shall approve grants for capital and pre-
13 ventive maintenance expenditures for the Washington
14 Metropolitan Area Transit Authority only after receiving
15 and reviewing a request for each specific project: *Provided*
16 *further*, That prior to approving such grants, the Secretary
17 shall certify that the Washington Metropolitan Area Tran-
18 sit Authority is making progress to improve its safety
19 management system in response to the Federal Transit
20 Administration’s 2015 safety management inspection:
21 *Provided further*, That prior to approving such grants, the
22 Secretary shall certify that the Washington Metropolitan
23 Area Transit Authority is making progress toward full im-
24 plementation of the corrective actions identified in the
25 2014 Financial Management Oversight Review Report:

1 *Provided further*, That the Secretary shall determine that
2 the Washington Metropolitan Area Transit Authority has
3 placed the highest priority on those investments that will
4 improve the safety of the system before approving such
5 grants: *Provided further*, That the Secretary, in order to
6 ensure safety throughout the rail system, may waive the
7 requirements of section 601(e)(1) of division B of Public
8 Law 110–432 (112 Stat. 4968).

9 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

10 ADMINISTRATION

11 SEC. 160. The limitations on obligations for the pro-
12 grams of the Federal Transit Administration shall not
13 apply to any authority under 49 U.S.C. 5338, previously
14 made available for obligation, or to any other authority
15 previously made available for obligation.

16 SEC. 161. Notwithstanding any other provision of
17 law, funds appropriated or limited by this Act under the
18 heading “Fixed Guideway Capital Investment” of the Fed-
19 eral Transit Administration for projects specified in this
20 Act or identified in reports accompanying this Act not ob-
21 ligated by September 30, 2022, and other recoveries, shall
22 be directed to projects eligible to use the funds for the
23 purposes for which they were originally provided.

24 SEC. 162. Notwithstanding any other provision of
25 law, any funds appropriated before October 1, 2017, under

1 any section of chapter 53 of title 49, United States Code,
2 that remain available for expenditure, may be transferred
3 to and administered under the most recent appropriation
4 heading for any such section.

5 SEC. 163. (a) Except as provided in subsection (b),
6 none of the funds in this or any other Act may be available
7 to advance in any way a new light or heavy rail project
8 towards a full funding grant agreement as defined by 49
9 U.S.C. 5309 for the Metropolitan Transit Authority of
10 Harris County, Texas if the proposed capital project is
11 constructed on or planned to be constructed on Richmond
12 Avenue west of South Shepherd Drive or on Post Oak
13 Boulevard north of Richmond Avenue in Houston, Texas.

14 (b) The Metropolitan Transit Authority of Harris
15 County, Texas, may attempt to construct or construct a
16 new fixed guideway capital project, including light rail, in
17 the locations referred to in subsection (a) if—

18 (1) voters in the jurisdiction that includes such
19 locations approve a ballot proposition that specifies
20 routes on Richmond Avenue west of South Shepherd
21 Drive or on Post Oak Boulevard north of Richmond
22 Avenue in Houston, Texas; and

23 (2) the proposed construction of such routes is
24 part of a comprehensive, multi-modal, service-area
25 wide transportation plan that includes multiple addi-

1 tional segments of fixed guideway capital projects,
2 including light rail for the jurisdiction set forth in
3 the ballot proposition. The ballot language shall in-
4 clude reasonable cost estimates, sources of revenue
5 to be used and the total amount of bonded indebted-
6 ness to be incurred as well as a description of each
7 route and the beginning and end point of each pro-
8 posed transit project.

9 SEC. 164. Notwithstanding any other provision of
10 law, none of the funds made available in this Act shall
11 be used to enter into a full funding grant agreement for
12 a project with a New Starts share greater than 50 percent.

13 SAINT LAWRENCE SEAWAY DEVELOPMENT

14 CORPORATION

15 The Saint Lawrence Seaway Development Corpora-
16 tion is hereby authorized to make such expenditures, with-
17 in the limits of funds and borrowing authority available
18 to the Corporation, and in accord with law, and to make
19 such contracts and commitments without regard to fiscal
20 year limitations as provided by section 104 of the Govern-
21 ment Corporation Control Act, as amended, as may be
22 necessary in carrying out the programs set forth in the
23 Corporation's budget for the current fiscal year.

1 OPERATIONS AND MAINTENANCE

2 (HARBOR MAINTENANCE TRUST FUND)

3 For necessary expenses to conduct the operations,
4 maintenance, and capital asset renewal activities of those
5 portions of the St. Lawrence Seaway owned, operated, and
6 maintained by the Saint Lawrence Seaway Development
7 Corporation, \$31,346,012, to be derived from the Harbor
8 Maintenance Trust Fund, pursuant to Public Law 99–
9 662. Of that amount, \$12,500,000 to be used on asset
10 renewal activities shall be made available through Sep-
11 tember 30, 2019.

12 MARITIME ADMINISTRATION

13 MARITIME SECURITY PROGRAM

14 For necessary expenses to maintain and preserve a
15 U.S.-flag merchant fleet to serve the national security
16 needs of the United States, \$300,000,000, to remain avail-
17 able until expended.

18 OPERATIONS AND TRAINING

19 For necessary expenses of operations and training ac-
20 tivities authorized by law, \$175,620,000, of which
21 \$22,000,000 shall remain available until expended for
22 maintenance and repair of training ships at State Mari-
23 time Academies, and of which \$6,000,000 shall remain
24 available until expended for National Security Multi-Mis-
25 sion Vessel Program for State Maritime Academies and

1 National Security, and of which \$2,400,000 shall remain
2 available through September 30, 2019, for the Student In-
3 centive Program at State Maritime Academies, and of
4 which \$1,800,000 shall remain available until expended
5 for training ship fuel assistance payments, and of which
6 \$18,000,000 shall remain available until expended for fa-
7 cilities maintenance and repair, equipment, and capital
8 improvements at the United States Merchant Marine
9 Academy, and of which \$3,000,000 shall remain available
10 through September 30, 2019, for Maritime Environment
11 and Technology Assistance program authorized under sec-
12 tion 50307 of title 46, United States Code: *Provided*, That
13 not later than February 1, 2018, the Administrator of the
14 Maritime Administration shall transmit to the House and
15 Senate Committees on Appropriations the annual report
16 on sexual assault and sexual harassment at the United
17 States Merchant Marine Academy as required pursuant
18 to section 3507 of Public Law 110–417.

19 ASSISTANCE TO SMALL SHIPYARDS

20 To make grants to qualified shipyards as authorized
21 under section 54101 of title 46, United States Code, as
22 amended by Public Law 113–281, \$3,000,000 to remain
23 available until expended: *Provided*, That the Secretary
24 shall issue the Notice of Funding Availability no later than
25 15 days after enactment of this Act: *Provided further*,

1 That from applications submitted under the previous pro-
2 viso, the Secretary of Transportation shall make grants
3 no later than 120 days after enactment of this Act in such
4 amounts as the Secretary determines: *Provided further*,
5 That not to exceed 2 percent of the funds appropriated
6 under this heading shall be available for necessary costs
7 of grant administration.

8 SHIP DISPOSAL

9 For necessary expenses related to the disposal of ob-
10 solete vessels in the National Defense Reserve Fleet of the
11 Maritime Administration, \$9,000,000, to remain available
12 until expended.

13 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

14 ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For administrative expenses to carry out the guaran-
17 teed loan program, \$3,000,000, which shall be transferred
18 to and merged for use by the Office of the Secretary's
19 National Surface Transportation and Innovative Finance
20 Bureau to administer the Title XI program in addition
21 to those programs listed in 49 U.S.C. 116(d)(1) .

22 ADMINISTRATIVE PROVISIONS—MARITIME

23 ADMINISTRATION

24 SEC. 170. Notwithstanding any other provision of
25 this Act, in addition to any existing authority, the Mari-

1 time Administration is authorized to furnish utilities and
2 services and make necessary repairs in connection with
3 any lease, contract, or occupancy involving Government
4 property under control of the Maritime Administration:
5 *Provided*, That payments received therefor shall be cred-
6 ited to the appropriation charged with the cost thereof and
7 shall remain available until expended: *Provided further*,
8 That rental payments under any such lease, contract, or
9 occupancy for items other than such utilities, services, or
10 repairs shall be covered into the Treasury as miscellaneous
11 receipts.

12 SEC. 171. None of the funds available or appro-
13 priated in this Act shall be used by the United States De-
14 partment of Transportation or the United States Maritime
15 Administration to negotiate or otherwise execute, enter
16 into, facilitate or perform fee-for-service contracts for ves-
17 sel disposal, scrapping or recycling, unless there is no
18 qualified domestic ship recycler that will pay any sum of
19 money to purchase and scrap or recycle a vessel owned,
20 operated or managed by the Maritime Administration or
21 that is part of the National Defense Reserve Fleet: *Pro-*
22 *vided*, That such sales offers must be consistent with the
23 solicitation and provide that the work will be performed
24 in a timely manner at a facility qualified within the mean-
25 ing of section 3502 of Public Law 106–398: *Provided fur-*

1 *ther*, That nothing contained herein shall affect the Mari-
2 time Administration's authority to award contracts at
3 least cost to the Federal Government and consistent with
4 the requirements of 54 U.S.C. 308704, section 3502, or
5 otherwise authorized under the Federal Acquisition Regu-
6 lation.

7 PENALTY WAGES

8 SEC. 172.

9 (a) Foreign and Intercoastal Voyages.—Section
10 10313(g) of title 46, United States Code, is amended—

11 (1) in paragraph (2)—

12 (A) by striking “all claims in a class action
13 suit by seamen” and inserting “each claim by
14 a seaman”; and

15 (B) by striking “the seamen” and inserting
16 “the seaman”; and

17 (2) in paragraph (3)—

18 (A) by striking “class action”; and

19 (B) in subparagraph (B), by striking “, by
20 a seaman who is a claimant in the suit,” and
21 inserting “by the seaman”.

22 (b) Coastwise Voyages.—Section 10504(c) of such
23 title is amended—

24 (1) in paragraph (2)—

1 (A) by striking “all claims in a class action
2 suit by seamen” and inserting “each claim by
3 a seaman”; and

4 (B) by striking “the seamen” and inserting
5 “the seaman”; and

6 (2) in paragraph (3)—

7 (A) by striking “class action”; and

8 (B) in subparagraph (B), by striking “, by
9 a seaman who is a claimant in the suit” and in-
10 serting “by the seaman”.

11 PIPELINE AND HAZARDOUS MATERIALS SAFETY

12 ADMINISTRATION

13 OPERATIONAL EXPENSES

14 For necessary operational expenses of the Pipeline
15 and Hazardous Materials Safety Administration,
16 \$20,500,000.

17 HAZARDOUS MATERIALS SAFETY

18 For expenses necessary to discharge the hazardous
19 materials safety functions of the Pipeline and Hazardous
20 Materials Safety Administration, \$57,000,000, of which
21 \$7,570,000 shall remain available until September 30,
22 2020: *Provided*, That up to \$800,000 in fees collected
23 under 49 U.S.C. 5108(g) shall be deposited in the general
24 fund of the Treasury as offsetting receipts: *Provided fur-*
25 *ther*, That there may be credited to this appropriation, to

1 be available until expended, funds received from States,
2 counties, municipalities, other public authorities, and pri-
3 vate sources for expenses incurred for training, for reports
4 publication and dissemination, and for travel expenses in-
5 curred in performance of hazardous materials exemptions
6 and approvals functions.

7 PIPELINE SAFETY

8 (PIPELINE SAFETY FUND)

9 (OIL SPILL LIABILITY TRUST FUND)

10 For expenses necessary to conduct the functions of
11 the pipeline safety program, for grants-in-aid to carry out
12 a pipeline safety program, as authorized by 49 U.S.C.
13 60107, and to discharge the pipeline program responsibil-
14 ities of the Oil Pollution Act of 1990, \$162,000,000, of
15 which \$23,000,000 shall be derived from the Oil Spill Li-
16 ability Trust Fund and shall remain available until Sep-
17 tember 30, 2020; and of which \$131,000,000 shall be de-
18 rived from the Pipeline Safety Fund, of which
19 \$64,736,000 shall remain available until September 30,
20 2020; and of which \$8,000,000 shall be derived from fees
21 collected under 49 U.S.C. 60302 and deposited in the Un-
22 derground Natural Gas Storage Facility Safety Account
23 and shall remain available for carrying out 49 U.S.C.
24 60141, of which \$6,000,000 shall remain available until
25 September 30, 2020.

1 EMERGENCY PREPAREDNESS GRANTS
2 (EMERGENCY PREPAREDNESS FUND)

3 Notwithstanding the fiscal year limitation specified in
4 49 U.S.C. 5116, not more than \$28,318,000 shall be made
5 available for obligation in fiscal year 2018 from amounts
6 made available by 49 U.S.C. 5116(h), and 5128(b) and
7 (c): *Provided*, That notwithstanding 49 U.S.C.
8 5116(h)(4), not more than 4 percent of the amounts made
9 available from this account shall be available to pay ad-
10 ministrative costs: *Provided further*, That none of the
11 funds made available by 49 U.S.C. 5116(h), 5128(b), or
12 5128(c) shall be made available for obligation by individ-
13 uals other than the Secretary of Transportation, or his
14 or her designee: *Provided further*, That notwithstanding
15 49 U.S.C. 5128(b) and (c) and the current year obligation
16 limitation, prior year recoveries recognized in the current
17 year shall be available to develop a hazardous materials
18 response training curriculum for emergency responders,
19 including response activities for the transportation of
20 crude oil, ethanol and other flammable liquids by rail, con-
21 sistent with National Fire Protection Association stand-
22 ards, and to make such training available through an elec-
23 tronic format: *Provided further*, That the prior year recov-
24 eries made available under this heading shall also be avail-
25 able to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of the Inspector
4 General to carry out the provisions of the Inspector Gen-
5 eral Act of 1978, as amended, \$92,152,000: *Provided*,
6 That the Inspector General shall have all necessary au-
7 thority, in carrying out the duties specified in the Inspec-
8 tor General Act, as amended (5 U.S.C. App. 3), to inves-
9 tigate allegations of fraud, including false statements to
10 the government (18 U.S.C. 1001), by any person or entity
11 that is subject to regulation by the Department of Trans-
12 portation: *Provided further*, That the funds made available
13 under this heading may be used to investigate, pursuant
14 to section 41712 of title 49, United States Code: (1) un-
15 fair or deceptive practices and unfair methods of competi-
16 tion by domestic and foreign air carriers and ticket agents;
17 and (2) the compliance of domestic and foreign air carriers
18 with respect to item (1) of this proviso.

19 GENERAL PROVISIONS—DEPARTMENT OF
20 TRANSPORTATION

21 SEC. 180. (a) During the current fiscal year, applica-
22 ble appropriations to the Department of Transportation
23 shall be available for maintenance and operation of air-
24 craft; hire of passenger motor vehicles and aircraft; pur-
25 chase of liability insurance for motor vehicles operating

1 in foreign countries on official department business; and
2 uniforms or allowances therefor, as authorized by law (5
3 U.S.C. 5901–5902).

4 (b) During the current fiscal year, applicable appro-
5 priations to the Department and its operating administra-
6 tions shall be available for the purchase, maintenance, op-
7 eration, and deployment of unmanned aircraft systems
8 that advance the Department’s, or its operating adminis-
9 trations’, missions.

10 (c) Any unmanned aircraft system purchased or pro-
11 cured by the Department prior to the enactment of this
12 Act shall be deemed authorized.

13 SEC. 181. Appropriations contained in this Act for
14 the Department of Transportation shall be available for
15 services as authorized by 5 U.S.C. 3109, but at rates for
16 individuals not to exceed the per diem rate equivalent to
17 the rate for an Executive Level IV.

18 SEC. 182. (a) No recipient of funds made available
19 in this Act shall disseminate personal information (as de-
20 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
21 ment of motor vehicles in connection with a motor vehicle
22 record as defined in 18 U.S.C. 2725(1), except as provided
23 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
24 2721.

1 (b) Notwithstanding subsection (a), the Secretary
2 shall not withhold funds provided in this Act for any
3 grantee if a State is in noncompliance with this provision.

4 SEC. 183. Funds received by the Federal Highway
5 Administration and Federal Railroad Administration from
6 States, counties, municipalities, other public authorities,
7 and private sources for expenses incurred for training may
8 be credited respectively to the Federal Highway Adminis-
9 tration's "Federal-Aid Highways" account and to the Fed-
10 eral Railroad Administration's "Safety and Operations"
11 account, except for State rail safety inspectors partici-
12 pating in training pursuant to 49 U.S.C. 20105.

13 SEC. 184. (a) None of the funds provided in this Act
14 to the Department of Transportation may be used to make
15 a loan, loan guarantee, line of credit, or discretionary
16 grant totaling \$500,000 or more unless the Secretary of
17 Transportation notifies the House and Senate Committees
18 on Appropriations not less than 3 full business days before
19 any project competitively selected to receive any discre-
20 tionary grant award, letter of intent, loan commitment,
21 loan guarantee commitment, line of credit commitment, or
22 full funding grant agreement is announced by the Depart-
23 ment or its modal administrations: *Provided*, That the
24 Secretary gives concurrent notification to the House and
25 Senate Committees on Appropriations for any "quick re-

1 lease” of funds from the emergency relief program: *Pro-*
2 *vided further*, That no notification shall involve funds that
3 are not available for obligation.

4 (b) In addition to the notification required in sub-
5 section (a), none of the funds made available in this Act
6 to the Department of Transportation may be used to make
7 a loan, loan guarantee, line of credit, or discretionary
8 grant unless the Secretary of Transportation provides the
9 House and Senate Committees on Appropriations a com-
10 prehensive list of all such loans, loan guarantees, lines of
11 credit, or discretionary grants that will be announced not
12 less the 3 full business days before such announcement:
13 *Provided*, That the requirement to provide a list in this
14 subsection does not apply to any “quick release” of funds
15 from the emergency relief program: *Provided further*, That
16 no list shall involve funds that are not available for obliga-
17 tion.

18 SEC. 185. Rebates, refunds, incentive payments,
19 minor fees and other funds received by the Department
20 of Transportation from travel management centers,
21 charge card programs, the subleasing of building space,
22 and miscellaneous sources are to be credited to appropria-
23 tions of the Department of Transportation and allocated
24 to elements of the Department of Transportation using

1 fair and equitable criteria and such funds shall be avail-
2 able until expended.

3 SEC. 186. Amounts made available in this or any
4 other Act that the Secretary determines represent im-
5 proper payments by the Department of Transportation to
6 a third-party contractor under a financial assistance
7 award, which are recovered pursuant to law, shall be avail-
8 able—

9 (1) to reimburse the actual expenses incurred
10 by the Department of Transportation in recovering
11 improper payments; and

12 (2) to pay contractors for services provided in
13 recovering improper payments or contractor support
14 in the implementation of the Improper Payments In-
15 formation Act of 2002: *Provided*, That amounts in
16 excess of that required for paragraphs (1) and (2)—

17 (A) shall be credited to and merged with
18 the appropriation from which the improper pay-
19 ments were made, and shall be available for the
20 purposes and period for which such appropria-
21 tions are available: *Provided further*, That
22 where specific project or accounting information
23 associated with the improper payment or pay-
24 ments is not readily available, the Secretary
25 may credit an appropriate account, which shall

1 be available for the purposes and period associ-
2 ated with the account so credited; or

3 (B) if no such appropriation remains avail-
4 able, shall be deposited in the Treasury as mis-
5 cellaneous receipts: *Provided further*, That prior
6 to the transfer of any such recovery to an ap-
7 propriations account, the Secretary shall notify
8 the House and Senate Committees on Appro-
9 priations of the amount and reasons for such
10 transfer: *Provided further*, That for purposes of
11 this section, the term “improper payments” has
12 the same meaning as that provided in section
13 2(d)(2) of Public Law 107–300.

14 SEC. 187. Notwithstanding any other provision of
15 law, if any funds provided in or limited by this Act are
16 subject to a reprogramming action that requires notice to
17 be provided to the House and Senate Committees on Ap-
18 propriations, transmission of said reprogramming notice
19 shall be provided solely to the House and Senate Commit-
20 tees on Appropriations, and said reprogramming action
21 shall be approved or denied solely by the House and Sen-
22 ate Committees on Appropriations: *Provided*, That the
23 Secretary of Transportation may provide notice to other
24 congressional committees of the action of the House and
25 Senate Committees on Appropriations on such reprogram-

1 ming but not sooner than 30 days following the date on
2 which the reprogramming action has been approved or de-
3 nied by the House and Senate Committees on Appropria-
4 tions.

5 SEC. 188. Funds appropriated in this Act to the
6 modal administrations may be obligated for the Office of
7 the Secretary for the costs related to assessments or reim-
8 bursable agreements only when such amounts are for the
9 costs of goods and services that are purchased to provide
10 a direct benefit to the applicable modal administration or
11 administrations.

12 SEC. 189. The Secretary of Transportation is author-
13 ized to carry out a program that establishes uniform
14 standards for developing and supporting agency transit
15 pass and transit benefits authorized under section 7905
16 of title 5, United States Code, including distribution of
17 transit benefits by various paper and electronic media.

18 SEC. 190. The Department of Transportation may
19 use funds provided by this Act, or any other Act, to assist
20 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
21 geographic, economic, or any other hiring preference not
22 otherwise authorized by law, or to amend a rule, regula-
23 tion, policy or other measure that forbids a recipient of
24 a Federal Highway Administration or Federal Transit Ad-
25 ministration grant from imposing such hiring preference

1 on a contract or construction project with which the De-
2 partment of Transportation is assisting, only if the grant
3 recipient certifies the following:

4 (1) that except with respect to apprentices or
5 trainees, a pool of readily available but unemployed
6 individuals possessing the knowledge, skill, and abil-
7 ity to perform the work that the contract requires
8 resides in the jurisdiction;

9 (2) that the grant recipient will include appro-
10 priate provisions in its bid document ensuring that
11 the contractor does not displace any of its existing
12 employees in order to satisfy such hiring preference;
13 and

14 (3) that any increase in the cost of labor, train-
15 ing, or delays resulting from the use of such hiring
16 preference does not delay or displace any transpor-
17 tation project in the applicable Statewide Transpor-
18 tation Improvement Program or Transportation Im-
19 provement Program.

20 This title may be cited as the “Department of Trans-
21 portation Appropriations Act, 2018”.

1211

1 TITLE II
2 DEPARTMENT OF HOUSING AND URBAN
3 DEVELOPMENT
4 MANAGEMENT AND ADMINISTRATION
5 EXECUTIVE OFFICES

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, and the
11 Center for Faith-Based and Neighborhood Partnerships,
12 \$14,708,000: *Provided*, That not to exceed \$25,000 of the
13 amount made available under this heading shall be avail-
14 able to the Secretary for official reception and representa-
15 tion expenses as the Secretary may determine.

16 ADMINISTRATIVE SUPPORT OFFICES
17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary salaries and expenses for Administra-
19 tive Support Offices, \$518,303,000, of which \$10,762,000
20 shall be available for, including the establishment of, the
21 Office of the Chief Operations Officer; \$50,340,000 shall
22 be available for the Office of the Chief Financial Officer;
23 \$92,006,000 shall be available for the Office of the Gen-
24 eral Counsel; \$205,873,000 shall be available for the Of-
25 fice of Administration; \$38,245,000 shall be available for

1 the Office of the Chief Human Capital Officer;
2 \$49,588,000 shall be available for the Office of Field Pol-
3 icy and Management; \$19,065,000 shall be available for
4 the Office of the Chief Procurement Officer; \$3,570,000
5 shall be available for the Office of Departmental Equal
6 Employment Opportunity; \$4,975,000 shall be available
7 for the Office of Strategic Planning and Management; and
8 \$43,879,000 shall be available for the Office of the Chief
9 Information Officer: *Provided*, That funds provided under
10 this heading may be used for necessary administrative and
11 non-administrative expenses of the Department of Hous-
12 ing and Urban Development, not otherwise provided for,
13 including purchase of uniforms, or allowances therefor, as
14 authorized by 5 U.S.C. 5901–5902; hire of passenger
15 motor vehicles; and services as authorized by 5 U.S.C.
16 3109: *Provided further*, That notwithstanding any other
17 provision of law, funds appropriated under this heading
18 may be used for advertising and promotional activities
19 that directly support program activities funded in this
20 title: *Provided further*, That in addition to the transfer au-
21 thority under section 221 of this Act, of the amount ap-
22 propriated for the Office of the Chief Operations Officer
23 under this heading, the Secretary may transfer up to
24 \$10,000,000 to the heading “Information Technology
25 Fund”: *Provided further*, That the Secretary shall provide

1 the House and Senate Committees on Appropriations
2 quarterly written notification regarding the status of
3 pending congressional reports: *Provided further*, That the
4 Secretary shall provide in electronic form all signed re-
5 ports required by Congress.

6 PROGRAM OFFICE SALARIES AND EXPENSES

7 PUBLIC AND INDIAN HOUSING

8 For necessary salaries and expenses of the Office of
9 Public and Indian Housing, \$216,633,000.

10 COMMUNITY PLANNING AND DEVELOPMENT

11 For necessary salaries and expenses of the Office of
12 Community Planning and Development, \$107,554,000.

13 HOUSING

14 For necessary salaries and expenses of the Office of
15 Housing, \$392,000,000.

16 POLICY DEVELOPMENT AND RESEARCH

17 For necessary salaries and expenses of the Office of
18 Policy Development and Research, \$24,065,000.

19 FAIR HOUSING AND EQUAL OPPORTUNITY

20 For necessary salaries and expenses of the Office of
21 Fair Housing and Equal Opportunity, \$69,808,000.

22 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

23 HOMES

24 For necessary salaries and expenses of the Office of
25 Lead Hazard Control and Healthy Homes, \$7,600,000.

1 WORKING CAPITAL FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For the working capital fund for the Department of
4 Housing and Urban Development (referred to in this para-
5 graph as the “Fund”), pursuant, in part, to section 7(f)
6 of the Department of Housing and Urban Development
7 Act (42 U.S.C. 3535(f)), amounts transferred to the Fund
8 under this heading shall be available for Federal shared
9 services used by offices and agencies of the Department,
10 and for such portion of any office or agency’s printing,
11 records management, space renovation, furniture, supply
12 services, or other shared services as the Secretary deter-
13 mines shall be derived from centralized sources made
14 available by the Department to all offices and agencies and
15 funded through the Fund: *Provided*, That of the amounts
16 made available in this title for salaries and expenses under
17 the headings “Executive Offices”, “Administrative Sup-
18 port Offices”, “Program Office Salaries and Expenses”,
19 and “Government National Mortgage Association”, the
20 Secretary shall transfer to the Fund such amounts, to re-
21 main available until expended, as are necessary to fund
22 services, specified in the matter preceding the first pro-
23 viso, for which the appropriation would otherwise have
24 been available, and may transfer not to exceed an addi-
25 tional \$5,000,000, in aggregate, from all such appropria-

1 tions, to be merged with the Fund and to remain available
2 until expended for use for any office or agency: *Provided*
3 *further*, That amounts in the Fund shall be the only
4 amounts available to each office or agency of the Depart-
5 ment for the services, or portion of services, specified in
6 the matter preceding the first proviso: *Provided further*,
7 That with respect to the Fund, the authorities and condi-
8 tions under this heading shall supplement the authorities
9 and conditions provided under section 7(f): *Provided fur-*
10 *ther*, That up to \$6,550,000 in the Fund may be available
11 for the management reporting initiative to improve the ef-
12 fectiveness of enterprise data governance, analysis, and re-
13 porting, including information technology investments to
14 make such improvements: *Provided further*, That to carry
15 out the previous proviso, the Secretary shall transfer any
16 amounts for related information technology investments to
17 the heading “Information Technology Fund”.

18 PUBLIC AND INDIAN HOUSING

19 TENANT-BASED RENTAL ASSISTANCE

20 (INCLUDING TRANSFER OF FUNDS)

21 For activities and assistance for the provision of ten-
22 ant-based rental assistance authorized under the United
23 States Housing Act of 1937, as amended (42 U.S.C. 1437
24 et seq.) (“the Act” herein), not otherwise provided for,
25 \$16,486,725,000, to remain available until expended, shall

1 be available on October 1, 2017 (in addition to the
2 \$4,000,000,000 previously appropriated under this head-
3 ing that shall be available on October 1, 2017), and
4 \$4,000,000,000, to remain available until expended, shall
5 be available on October 1, 2018: *Provided*, That the
6 amounts made available under this heading are provided
7 as follows:

8 (1) \$18,709,725,000 shall be available for re-
9 newals of expiring section 8 tenant-based annual
10 contributions contracts (including renewals of en-
11 hanced vouchers under any provision of law author-
12 izing such assistance under section 8(t) of the Act)
13 and including renewal of other special purpose incre-
14 mental vouchers: *Provided*, That notwithstanding
15 any other provision of law, from amounts provided
16 under this paragraph and any carryover, the Sec-
17 retary for the calendar year 2018 funding cycle shall
18 provide renewal funding for each public housing
19 agency based on validated voucher management sys-
20 tem (VMS) leasing and cost data for the prior cal-
21 endar year and by applying an inflation factor as es-
22 tablished by the Secretary, by notice published in
23 the Federal Register, and by making any necessary
24 adjustments for the costs associated with the first-
25 time renewal of vouchers under this paragraph in-

1 including tenant protection, HOPE VI, and Choice
2 Neighborhoods vouchers: *Provided further*, That
3 none of the funds provided under this paragraph
4 may be used to fund a total number of unit months
5 under lease which exceeds a public housing agency's
6 authorized level of units under contract, except for
7 public housing agencies participating in the MTW
8 demonstration, which are instead governed by the
9 terms and conditions of their MTW agreements:
10 *Provided further*, That the Secretary shall, to the ex-
11 tent necessary to stay within the amount specified
12 under this paragraph (except as otherwise modified
13 under this paragraph), prorate each public housing
14 agency's allocation otherwise established pursuant to
15 this paragraph: *Provided further*, That except as
16 provided in the following provisos, the entire amount
17 specified under this paragraph (except as otherwise
18 modified under this paragraph) shall be obligated to
19 the public housing agencies based on the allocation
20 and pro rata method described above, and the Sec-
21 retary shall notify public housing agencies of their
22 annual budget by the later of 60 days after enact-
23 ment of this Act or March 1, 2018: *Provided further*,
24 That the Secretary may extend the notification pe-
25 riod with the prior written approval of the House

1 and Senate Committees on Appropriations: *Provided*
2 *further*, That public housing agencies participating
3 in the MTW demonstration shall be funded pursuant
4 to their MTW agreements and in accordance with
5 the requirements of the MTW program and shall be
6 subject to the same pro rata adjustments under the
7 previous provisos: *Provided further*, That the Sec-
8 retary may offset public housing agencies' calendar
9 year 2018 allocations based on the excess amounts
10 of public housing agencies' net restricted assets ac-
11 counts, including HUD held programmatic reserves
12 (in accordance with VMS data in calendar year 2017
13 that is verifiable and complete), as determined by
14 the Secretary: *Provided further*, That public housing
15 agencies participating in the MTW demonstration
16 shall also be subject to the offset, as determined by
17 the Secretary from the agencies' calendar year 2018
18 MTW funding allocation: *Provided further*, That the
19 Secretary shall use any offset referred to in the pre-
20 vious two provisos throughout the calendar year to
21 prevent the termination of rental assistance for fam-
22 ilies as the result of insufficient funding, as deter-
23 mined by the Secretary, and to avoid or reduce the
24 proration of renewal funding allocations: *Provided*
25 *further*, That up to \$100,000,000 shall be available

1 only: (1) for adjustments in the allocations for public
2 housing agencies, after application for an adjust-
3 ment by a public housing agency that experienced a
4 significant increase, as determined by the Secretary,
5 in renewal costs of vouchers resulting from unfore-
6 seen circumstances or from portability under section
7 8(r) of the Act; (2) for vouchers that were not in use
8 during the previous 12-month period in order to be
9 available to meet a commitment pursuant to section
10 8(o)(13) of the Act; (3) for adjustments for costs as-
11 sociated with HUD-Veterans Affairs Supportive
12 Housing (HUD-VASH) vouchers; and (4) for public
13 housing agencies that despite taking reasonable cost
14 savings measures, as determined by the Secretary,
15 would otherwise be required to terminate rental as-
16 sistance for families as a result of insufficient fund-
17 ing: *Provided further*, That the Secretary shall allo-
18 cate amounts under the previous proviso based on
19 need, as determined by the Secretary;

20 (2) \$60,000,000 shall be for section 8 rental as-
21 sistance for relocation and replacement of housing
22 units that are demolished or disposed of pursuant to
23 section 18 of the Act, conversion of section 23
24 projects to assistance under section 8, the family
25 unification program under section 8(x) of the Act,

1 relocation of witnesses in connection with efforts to
2 combat crime in public and assisted housing pursu-
3 ant to a request from a law enforcement or prosecu-
4 tion agency, enhanced vouchers under any provision
5 of law authorizing such assistance under section 8(t)
6 of the Act, HOPE VI and Choice Neighborhood
7 vouchers, mandatory and voluntary conversions, and
8 tenant protection assistance including replacement
9 and relocation assistance or for project-based assist-
10 ance to prevent the displacement of unassisted elder-
11 ly tenants currently residing in section 202 prop-
12 erties financed between 1959 and 1974 that are refi-
13 nanced pursuant to Public Law 106–569, as amend-
14 ed, or under the authority as provided under this
15 Act: *Provided*, That when a public housing develop-
16 ment is submitted for demolition or disposition
17 under section 18 of the Act, the Secretary may pro-
18 vide section 8 rental assistance when the units pose
19 an imminent health and safety risk to residents:
20 *Provided further*, That the Secretary may only pro-
21 vide replacement vouchers for units that were occu-
22 pied within the previous 24 months that cease to be
23 available as assisted housing, subject only to the
24 availability of funds: *Provided further*, That of the
25 amounts made available under this paragraph,

1 \$5,000,000 may be available to provide tenant pro-
2 tection assistance, not otherwise provided under this
3 paragraph, to residents residing in low vacancy
4 areas and who may have to pay rents greater than
5 30 percent of household income, as the result of: (A)
6 the maturity of a HUD-insured, HUD-held or sec-
7 tion 202 loan that requires the permission of the
8 Secretary prior to loan prepayment; (B) the expira-
9 tion of a rental assistance contract for which the
10 tenants are not eligible for enhanced voucher or ten-
11 ant protection assistance under existing law; or (C)
12 the expiration of affordability restrictions accom-
13 panying a mortgage or preservation program admin-
14 istered by the Secretary: *Provided further*, That such
15 tenant protection assistance made available under
16 the previous proviso may be provided under the au-
17 thority of section 8(t) or section 8(o)(13) of the
18 United States Housing Act of 1937 (42 U.S.C.
19 1437f(t)): *Provided further*, That any tenant protec-
20 tion voucher made available from amounts under
21 this paragraph shall not be reissued by any public
22 housing agency, except the replacement vouchers as
23 defined by the Secretary by notice, when the initial
24 family that received any such voucher no longer re-
25 ceives such voucher, and the authority for any public

1 housing agency to issue any such voucher shall cease
2 to exist: *Provided further*, That the Secretary may
3 provide section 8 rental assistance from amounts
4 made available under this paragraph for units as-
5 sisted under a project-based subsidy contract funded
6 under the “Project-Based Rental Assistance” head-
7 ing under this title where the owner has received a
8 Notice of Default and the units pose an imminent
9 health and safety risk to residents: *Provided further*,
10 That to the extent that the Secretary determines
11 that such units are not feasible for continued rental
12 assistance payments or transfer of the subsidy con-
13 tract associated with such units to another project
14 or projects and owner or owners, any remaining
15 amounts associated with such units under such con-
16 tract shall be recaptured and used to reimburse
17 amounts used under this paragraph for rental assist-
18 ance under the preceding proviso;

19 (3) \$1,550,000,000 shall be for administrative
20 and other expenses of public housing agencies in ad-
21 ministering the section 8 tenant-based rental assist-
22 ance program, of which up to \$10,000,000 shall be
23 available to the Secretary to allocate to public hous-
24 ing agencies that need additional funds to admin-
25 ister their section 8 programs, including fees associ-

1 ated with section 8 tenant protection rental assist-
2 ance, the administration of disaster related vouchers,
3 Veterans Affairs Supportive Housing vouchers, and
4 other special purpose incremental vouchers: *Pro-*
5 *vided*, That no less than \$1,540,000,000 of the
6 amount provided in this paragraph shall be allocated
7 to public housing agencies for the calendar year
8 2018 funding cycle based on section 8(q) of the Act
9 (and related Appropriation Act provisions) as in ef-
10 fect immediately before the enactment of the Quality
11 Housing and Work Responsibility Act of 1998 (Pub-
12 lic Law 105–276): *Provided further*, That if the
13 amounts made available under this paragraph are
14 insufficient to pay the amounts determined under
15 the previous proviso, the Secretary may decrease the
16 amounts allocated to agencies by a uniform percent-
17 age applicable to all agencies receiving funding
18 under this paragraph or may, to the extent nec-
19 essary to provide full payment of amounts deter-
20 mined under the previous proviso, utilize unobligated
21 balances, including recaptures and carryovers, re-
22 maining from funds appropriated to the Department
23 of Housing and Urban Development under this
24 heading from prior fiscal years, excluding special
25 purpose vouchers, notwithstanding the purposes for

1 which such amounts were appropriated: *Provided*
2 *further*, That all public housing agencies partici-
3 pating in the MTW demonstration shall be funded
4 pursuant to their MTW agreements, and in accord-
5 ance with the requirements of the MTW program
6 and shall be subject to the same uniform percentage
7 decrease as under the previous proviso: *Provided fur-*
8 *ther*, That amounts provided under this paragraph
9 shall be only for activities related to the provision of
10 tenant-based rental assistance authorized under sec-
11 tion 8, including related development activities;

12 (4) \$150,000,000 for the renewal of tenant-
13 based assistance contracts under section 811 of the
14 Cranston-Gonzalez National Affordable Housing Act
15 (42 U.S.C. 8013), including necessary administra-
16 tive expenses: *Provided*, That administrative and
17 other expenses of public housing agencies in admin-
18 istering the special purpose vouchers in this para-
19 graph shall be funded under the same terms and be
20 subject to the same pro rata reduction as the per-
21 cent decrease for administrative and other expenses
22 to public housing agencies under paragraph (3) of
23 this heading: *Provided further*, That any amounts
24 provided under this paragraph in this Act or prior
25 Acts, remaining available after funding renewals and

1 administrative expenses under this paragraph, shall
2 be available for incremental tenant-based assistance
3 contracts under such section 811, including nec-
4 essary administrative expenses;

5 (5) the Secretary shall separately track all spe-
6 cial purpose vouchers funded under this heading, in-
7 cluding the renewal, from amounts provided under
8 paragraph (1) under this heading, of HUD–VASH
9 vouchers, funded under this heading in prior Acts to
10 address veterans’ homelessness, of no less than
11 \$577,000,000;

12 (6) \$7,000,000 shall be for renewal grants, in-
13 cluding rental assistance and associated administra-
14 tive fees for Tribal HUD–VA Supportive Housing to
15 serve Native American veterans that are homeless or
16 at-risk of homelessness living on or near a reserva-
17 tion or Indian areas: *Provided*, That such amount
18 shall be made available for renewal grants to the re-
19 cipients that received assistance under the rental as-
20 sistance and supportive housing demonstration pro-
21 gram for Native American veterans authorized under
22 the heading “Tenant-Based Rental Assistance” in
23 title II of division K of the Consolidated and Fur-
24 ther Continuing Appropriations Act, 2015 (Public
25 Law 113–235, 128 Stat. 2733): *Provided further*,

1 That the Secretary shall be authorized to specify cri-
2 teria for renewal grants, including data on the utili-
3 zation of assistance reported by grant recipients
4 under the demonstration program: *Provided further*,
5 That renewal grants under this paragraph shall be
6 administered by block grant recipients in accordance
7 with program requirements under the Native Amer-
8 ican Housing Assistance and Self-Determination Act
9 of 1996: *Provided further*, That assistance under
10 this paragraph shall be modeled after, with nec-
11 essary and appropriate adjustments for Native
12 American grant recipients and veterans, the rental
13 assistance and supportive housing program known
14 as HUD-VASH program, including administration
15 in conjunction with the Department of Veterans Af-
16 fairs and overall implementation of section 8(o)(19)
17 of the United States Housing Act of 1937: *Provided*
18 *further*, That the Secretary of Housing and Urban
19 Development may waive, or specify alternative re-
20 quirements for any provision of any statute or regu-
21 lation that the Secretary administers in connection
22 with the use of funds made available under this
23 paragraph (except requirements related to fair hous-
24 ing, nondiscrimination, labor standards, and the en-
25 vironment), upon a finding by the Secretary that

1 any such waiver or alternative requirements are nec-
2 essary for the effective delivery and administration
3 of such assistance: *Provided further*, That grant re-
4 cipients shall report to the Secretary on utilization
5 of such rental assistance and other program data, as
6 prescribed by the Secretary and;

7 (7) \$10,000,000 shall be available to support
8 modernization of public housing agency (PHA) in-
9 formation technology systems with respect to admin-
10 istration of program data and funding provided
11 under this heading, including related expenses; Pro-
12 vided, That the Secretary may transfer up to
13 \$10,000,000 of the amounts provided under this
14 paragraph to the “Public Housing Capital Fund”
15 heading under this title to support modernization of
16 PHA information technology systems with respect to
17 administration of program data and funding under
18 such heading, including related expenses.

19 HOUSING CERTIFICATE FUND

20 (INCLUDING RESCISSIONS)

21 Unobligated balances, including recaptures and car-
22 ryover, remaining from funds appropriated to the Depart-
23 ment of Housing and Urban Development under this
24 heading, the heading “Annual Contributions for Assisted
25 Housing” and the heading “Project-Based Rental Assist-

1 ance”, for fiscal year 2018 and prior years may be used
2 for renewal of or amendments to section 8 project-based
3 contracts and for performance-based contract administra-
4 tors, notwithstanding the purposes for which such funds
5 were appropriated: *Provided*, That any obligated balances
6 of contract authority from fiscal year 1974 and prior that
7 have been terminated shall be rescinded: *Provided further*,
8 That amounts heretofore recaptured, or recaptured during
9 the current fiscal year, from section 8 project-based con-
10 tracts from source years fiscal year 1975 through fiscal
11 year 1987 are hereby rescinded, and an amount of addi-
12 tional new budget authority, equivalent to the amount re-
13 scinded is hereby appropriated, to remain available until
14 expended, for the purposes set forth under this heading,
15 in addition to amounts otherwise available.

16 PUBLIC HOUSING CAPITAL FUND

17 For the Public Housing Capital Fund Program to
18 carry out capital and management activities for public
19 housing agencies, as authorized under section 9 of the
20 United States Housing Act of 1937 (42 U.S.C. 1437g)
21 (the “Act”) \$1,850,000,000, to remain available until
22 September 30, 2021: *Provided*, That notwithstanding any
23 other provision of law or regulation, during fiscal year
24 2018, the Secretary of Housing and Urban Development
25 may not delegate to any Department official other than

1 the Deputy Secretary and the Assistant Secretary for
2 Public and Indian Housing any authority under paragraph
3 (2) of section 9(j) regarding the extension of the time peri-
4 ods under such section: *Provided further*, That for pur-
5 poses of such section 9(j), the term “obligate” means, with
6 respect to amounts, that the amounts are subject to a
7 binding agreement that will result in outlays, immediately
8 or in the future: *Provided further*, That up to \$8,300,000
9 shall be to support ongoing public housing financial and
10 physical assessment activities: *Provided further*, That up
11 to \$1,000,000 shall be to support the costs of administra-
12 tive and judicial receiverships: *Provided further*, That of
13 the total amount provided under this heading, not to ex-
14 ceed \$20,000,000 shall be available for the Secretary to
15 make grants, notwithstanding section 203 of this Act, to
16 public housing agencies for emergency capital needs in-
17 cluding safety and security measures necessary to address
18 crime and drug-related activity as well as needs resulting
19 from unforeseen or unpreventable emergencies and nat-
20 ural disasters excluding Presidentially declared emer-
21 gencies and natural disasters under the Robert T. Stafford
22 Disaster Relief and Emergency Act (42 U.S.C. 5121 et
23 seq.) occurring in fiscal year 2018: *Provided further*, That
24 of the amount made available under the previous proviso,
25 not less than \$5,000,000 shall be for safety and security

1 measures: *Provided further*, That of the total amount pro-
2 vided under this heading \$35,000,000 shall be for sup-
3 portive services, service coordinator and congregate serv-
4 ices as authorized by section 34 of the Act (42 U.S.C.
5 1437z-6) and the Native American Housing Assistance
6 and Self-Determination Act of 1996 (25 U.S.C. 4101 et
7 seq.): *Provided further*, That of the total amount made
8 available under this heading, up to \$15,000,000 shall be
9 for a Jobs-Plus initiative modeled after the Jobs-Plus
10 demonstration: *Provided further*, That funding provided
11 under the previous proviso shall be available for competi-
12 tive grants to partnerships between public housing au-
13 thorities, local workforce investment boards established
14 under section 117 of the Workforce Investment Act of
15 1998, and other agencies and organizations that provide
16 support to help public housing residents obtain employ-
17 ment and increase earnings: *Provided further*, That appli-
18 cants must demonstrate the ability to provide services to
19 residents, partner with workforce investment boards, and
20 leverage service dollars: *Provided further*, That the Sec-
21 retary may allow public housing agencies to request ex-
22 emptions from rent and income limitation requirements
23 under sections 3 and 6 of the United States Housing Act
24 of 1937 as necessary to implement the Jobs-Plus program,
25 on such terms and conditions as the Secretary may ap-

1 prove upon a finding by the Secretary that any such waiv-
2 ers or alternative requirements are necessary for the effec-
3 tive implementation of the Jobs-Plus initiative as a vol-
4 untary program for residents: *Provided further*, That the
5 Secretary shall publish by notice in the Federal Register
6 any waivers or alternative requirements pursuant to the
7 preceding proviso no later than 10 days before the effec-
8 tive date of such notice: *Provided further*, That for funds
9 provided under this heading, the limitation in section
10 9(g)(1) of the Act shall be 25 percent: *Provided further*,
11 That the Secretary may waive the limitation in the pre-
12 vious proviso to allow public housing agencies to fund ac-
13 tivities authorized under section 9(e)(1)(C) of the Act:
14 *Provided further*, That the Secretary shall notify public
15 housing agencies requesting waivers under the previous
16 proviso if the request is approved or denied within 14 days
17 of submitting the request: *Provided further*, That from the
18 funds made available under this heading, the Secretary
19 shall provide bonus awards in fiscal year 2018 to public
20 housing agencies that are designated high performers:
21 *Provided further*, That the Department shall notify public
22 housing agencies of their formula allocation within 60
23 days of enactment of this Act.

1 PUBLIC HOUSING OPERATING FUND

2 For 2018 payments to public housing agencies for the
3 operation and management of public housing, as author-
4 ized by section 9(e) of the United States Housing Act of
5 1937 (42 U.S.C. 1437g(e)), \$4,400,000,000, to remain
6 available until September 30, 2019.

7 CHOICE NEIGHBORHOODS INITIATIVE

8 For competitive grants under the Choice Neighbor-
9 hoods Initiative (subject to section 24 of the United States
10 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
11 specified under this heading), for transformation, rehabili-
12 tation, and replacement housing needs of both public and
13 HUD-assisted housing and to transform neighborhoods of
14 poverty into functioning, sustainable mixed income neigh-
15 borhoods with appropriate services, schools, public assets,
16 transportation and access to jobs, \$20,000,000, to remain
17 available until September 30, 2020: *Provided*, That grant
18 funds may be used for resident and community services,
19 community development, and affordable housing needs in
20 the community, and for conversion of vacant or foreclosed
21 properties to affordable housing: *Provided further*, That
22 the use of funds made available under this heading shall
23 not be deemed to be public housing notwithstanding sec-
24 tion 3(b)(1) of such Act: *Provided further*, That grantees
25 shall commit to an additional period of affordability deter-

1 mined by the Secretary of not fewer than 20 years: *Pro-*
2 *vided further*, That grantees shall provide a match in
3 State, local, other Federal or private funds: *Provided fur-*
4 *ther*, That grantees may include local governments, tribal
5 entities, public housing authorities, and nonprofits: *Pro-*
6 *vided further*, That for-profit developers may apply jointly
7 with a public entity: *Provided further*, That for purposes
8 of environmental review, a grantee shall be treated as a
9 public housing agency under section 26 of the United
10 States Housing Act of 1937 (42 U.S.C. 1437x), and
11 grants under this heading shall be subject to the regula-
12 tions issued by the Secretary to implement such section:
13 *Provided further*, That of the amount provided, not less
14 than \$10,000,000 shall be awarded to public housing
15 agencies: *Provided further*, That such grantees shall create
16 partnerships with other local organizations including as-
17 sisted housing owners, service agencies, and resident orga-
18 nizations: *Provided further*, That the Secretary shall con-
19 sult with the Secretaries of Education, Labor, Transpor-
20 tation, Health and Human Services, Agriculture, and
21 Commerce, the Attorney General, and the Administrator
22 of the Environmental Protection Agency to coordinate and
23 leverage other appropriate Federal resources: *Provided*
24 *further*, That no more than \$1,000,000 of funds made
25 available under this heading may be provided as grants

1 to undertake comprehensive local planning with input
2 from residents and the community: *Provided further*, That
3 unobligated balances, including recaptures, remaining
4 from funds appropriated under the heading “Revitaliza-
5 tion of Severely Distressed Public Housing (HOPE VI)”
6 in fiscal year 2011 and prior fiscal years may be used for
7 purposes under this heading, notwithstanding the pur-
8 poses for which such amounts were appropriated.

9 FAMILY SELF-SUFFICIENCY

10 For the Family Self-Sufficiency program to support
11 family self-sufficiency coordinators under section 23 of the
12 United States Housing Act of 1937, to promote the devel-
13 opment of local strategies to coordinate the use of assist-
14 ance under sections 8(o) and 9 of such Act with public
15 and private resources, and enable eligible families to
16 achieve economic independence and self-sufficiency,
17 \$75,000,000, to remain available until September 30,
18 2019: *Provided*, That the Secretary may, by Federal Reg-
19 ister notice, waive or specify alternative requirements
20 under sections b(3), b(4), b(5), or c(1) of section 23 of
21 such Act in order to facilitate the operation of a unified
22 self-sufficiency program for individuals receiving assist-
23 ance under different provisions of the Act, as determined
24 by the Secretary: *Provided further*, That owners of a pri-
25 vately owned multifamily property with a section 8 con-

1 tract may voluntarily make a Family Self-Sufficiency pro-
2 gram available to the assisted tenants of such property
3 in accordance with procedures established by the Sec-
4 retary: *Provided further*, That such procedures established
5 pursuant to the previous proviso shall permit participating
6 tenants to accrue escrow funds in accordance with section
7 23(d)(2) and shall allow owners to use funding from resid-
8 ual receipt accounts to hire coordinators for their own
9 Family Self-Sufficiency program.

10 NATIVE AMERICAN HOUSING BLOCK GRANTS

11 For the Native American Housing Block Grants pro-
12 gram, as authorized under title I of the Native American
13 Housing Assistance and Self-Determination Act of 1996
14 (NAHASDA) (25 U.S.C. 4111 et seq.), \$654,000,000, to
15 remain available until September 30, 2022: *Provided*,
16 That, notwithstanding NAHASDA, to determine the
17 amount of the allocation under title I of such Act for each
18 Indian tribe, the Secretary shall apply the formula under
19 section 302 of such Act with the need component based
20 on single-race census data and with the need component
21 based on multi-race census data, and the amount of the
22 allocation for each Indian tribe shall be the greater of the
23 two resulting allocation amounts: *Provided further*, That
24 of the amounts made available under this heading,
25 \$3,500,000 shall be contracted for assistance for national

1 or regional organizations representing Native American
2 housing interests for providing training and technical as-
3 sistance to Indian housing authorities and tribally des-
4 igned housing entities as authorized under NAHASDA:
5 *Provided further*, That of the funds made available under
6 the previous proviso, not less than \$2,000,000 shall be
7 made available for a national organization as authorized
8 under section 703 of NAHASDA (25 U.S.C. 4212): *Pro-*
9 *vided further*, That of the amounts made available under
10 this heading, \$3,500,000 shall be to support the inspection
11 of Indian housing units, contract expertise, training, and
12 technical assistance related to funding provided under this
13 heading and other headings under this Act for the needs
14 of Native American families and Indian country: *Provided*
15 *further*, That of the amount provided under this heading,
16 \$2,000,000 shall be made available for the cost of guaran-
17 teed notes and other obligations, as authorized by title VI
18 of NAHASDA: *Provided further*, That such costs, includ-
19 ing the costs of modifying such notes and other obliga-
20 tions, shall be as defined in section 502 of the Congres-
21 sional Budget Act of 1974, as amended: *Provided further*,
22 That these funds are available to subsidize the total prin-
23 cipal amount of any notes and other obligations, any part
24 of which is to be guaranteed, not to exceed \$17,391,304:
25 *Provided further*, That the Department will notify grantees

1 of their formula allocation within 60 days of the date of
2 enactment of this Act: *Provided further*, That notwith-
3 standing section 302(d) of NAHASDA, if on the date of
4 enactment of this Act, a recipient's total amount of
5 undisbursed block grant funds in the Department's line
6 of credit control system is greater than the sum of its prior
7 3 years' initial formula allocation calculations, the Sec-
8 retary shall adjust that recipient's formula allocation that
9 it would otherwise receive down by the difference between
10 its total amount of undisbursed block grant funds in the
11 Department's line of credit control system on the date of
12 enactment of this Act, and the sum of its prior 3 years'
13 initial formula allocation calculations: *Provided further*,
14 That grant amounts not allocated to a recipient pursuant
15 to the previous proviso shall be allocated under the need
16 component of the formula proportionately among all other
17 Indian tribes not subject to an adjustment under such pro-
18 viso: *Provided further*, That the second proviso shall not
19 apply to any Indian tribe that would otherwise receive a
20 formula allocation of less than \$5,000,000: *Provided fur-*
21 *ther*, That to take effect, the three previous provisos do
22 not require issuance or amendment of any regulation, shall
23 not be subject to a formula challenge by an Indian tribe,
24 and shall not be construed to confer hearing rights under

1 any section of NAHASDA or its implementing regula-
2 tions.

3 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

4 ACCOUNT

5 For the cost of guaranteed loans, as authorized by
6 section 184 of the Housing and Community Development
7 Act of 1992 (12 U.S.C. 1715z–13a), \$5,500,000, to re-
8 main available until expended: *Provided*, That such costs,
9 including the costs of modifying such loans, shall be as
10 defined in section 502 of the Congressional Budget Act
11 of 1974: *Provided further*, That these funds are available
12 to subsidize total loan principal, any part of which is to
13 be guaranteed, up to \$1,486,486,486, to remain available
14 until expended: *Provided further*, That up to \$750,000 of
15 this amount may be for administrative contract expenses
16 including management processes and systems to carry out
17 the loan guarantee program: *Provided further*, That an ad-
18 ditional \$1,727,000 shall be available until expended for
19 such costs of guaranteed loans authorized under such sec-
20 tion 184 issued to tribes and Indian housing authorities
21 for the construction of rental housing for law enforcement,
22 healthcare, educational, technical and other skilled work-
23 ers: *Provided further*, That the funds specified in the pre-
24 vious proviso are available to subsidize total loan principal,
25 any part of which is to be guaranteed, up to \$466,756,757

1 to remain available until expended: *Provided further*, That
2 the Secretary may specify any additional program require-
3 ments with respect to the previous two provisos through
4 publication of a Mortgagee Letter or Notice.

5

6 COMMUNITY PLANNING AND DEVELOPMENT

7 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

8 For carrying out the Housing Opportunities for Per-
9 sons with AIDS program, as authorized by the AIDS
10 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
11 \$356,000,000, to remain available until September 30,
12 2019, except that amounts allocated pursuant to section
13 854(c)(5) of such Act shall remain available until Sep-
14 tember 30, 2020: *Provided*, That the Secretary shall renew
15 all expiring contracts for permanent supportive housing
16 that initially were funded under section 854(c)(5) of such
17 Act from funds made available under this heading in fiscal
18 year 2010 and prior fiscal years that meet all program
19 requirements before awarding funds for new contracts
20 under such section: *Provided further*, That the Depart-
21 ment shall notify grantees of their formula allocation with-
22 in 60 days of enactment of this Act.

23 COMMUNITY DEVELOPMENT FUND

24 For assistance to units of State and local govern-
25 ment, and to other entities, for economic and community

1 development activities, and for other purposes,
2 \$2,960,000,000, to remain available until September 30,
3 2020, unless otherwise specified: *Provided*, That of the
4 total amount provided, \$2,900,000,000 is for carrying out
5 the community development block grant program under
6 title I of the Housing and Community Development Act
7 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
8 et seq.): *Provided further*, That unless explicitly provided
9 for under this heading, not to exceed 20 percent of any
10 grant made with funds appropriated under this heading
11 shall be expended for planning and management develop-
12 ment and administration: *Provided further*, That a metro-
13 politan city, urban county, unit of general local govern-
14 ment, or Indian tribe, or insular area that directly or indi-
15 rectly receives funds under this heading may not sell,
16 trade, or otherwise transfer all or any portion of such
17 funds to another such entity in exchange for any other
18 funds, credits or non-Federal considerations, but must use
19 such funds for activities eligible under title I of the Act:
20 *Provided further*, That notwithstanding section 105(e)(1)
21 of the Act, no funds provided under this heading may be
22 provided to a for-profit entity for an economic develop-
23 ment project under section 105(a)(17) unless such project
24 has been evaluated and selected in accordance with guide-
25 lines required under subparagraph (e)(2): *Provided fur-*

1 *ther*, That the Department shall notify grantees of their
2 formula allocation within 60 days of enactment of this Act:
3 *Provided further*, That of the total amount provided under
4 this heading \$60,000,000 shall be for grants to Indian
5 tribes notwithstanding section 106(a)(1) of such Act, of
6 which, notwithstanding any other provision of law (includ-
7 ing section 203 of this Act), up to \$4,000,000 may be
8 used for emergencies that constitute imminent threats to
9 health and safety.

10 COMMUNITY DEVELOPMENT LOAN GUARANTEES

11 PROGRAM ACCOUNT

12 Subject to section 502 of the Congressional Budget
13 Act of 1974, during fiscal year 2018, commitments to
14 guarantee loans under section 108 of the Housing and
15 Community Development Act of 1974 (42 U.S.C. 5308),
16 any part of which is guaranteed, shall not exceed a total
17 principal amount of \$300,000,000, notwithstanding any
18 aggregate limitation on outstanding obligations guaran-
19 teed in subsection (k) of such section 108: *Provided*, That
20 the Secretary shall collect fees from borrowers, notwith-
21 standing subsection (m) of such section 108, to result in
22 a credit subsidy cost of zero for guaranteeing such loans,
23 and any such fees shall be collected in accordance with
24 section 502(7) of the Congressional Budget Act of 1974.

1 HOME INVESTMENT PARTNERSHIPS PROGRAM

2 For the HOME Investment Partnerships program, as
3 authorized under title II of the Cranston-Gonzalez Na-
4 tional Affordable Housing Act, as amended,
5 \$850,000,000, to remain available until September 30,
6 2021: *Provided*, That notwithstanding the amount made
7 available under this heading, the threshold reduction re-
8 quirements in sections 216(10) and 217(b)(4) of such Act
9 shall not apply to allocations of such amount: *Provided*
10 *further*, That the requirements under provisos 2 through
11 6 under this heading for fiscal year 2012 and such re-
12 quirements applicable pursuant to the “Full-Year Con-
13 tinuing Appropriations Act, 2013”, shall not apply to any
14 project to which funds were committed on or after August
15 23, 2013, but such projects shall instead be governed by
16 the Final Rule titled “Home Investment Partnerships
17 Program; Improving Performance and Accountability; Up-
18 dating Property Standards” which became effective on
19 such date: *Provided further*, That the Department shall
20 notify grantees of their formula allocation within 60 days
21 of enactment of this Act.

22 SELF-HELP AND ASSISTED HOMEOWNERSHIP

23 OPPORTUNITY PROGRAM

24 For the Self-Help and Assisted Homeownership Op-
25 portunity Program, as authorized under section 11 of the

1 Housing Opportunity Program Extension Act of 1996, as
2 amended, \$45,000,000, to remain available until Sep-
3 tember 30, 2020: *Provided*, That of the total amount pro-
4 vided under this heading, \$10,000,000 shall be made
5 available to the Self-Help and Assisted Homeownership
6 Opportunity Program as authorized under section 11 of
7 the Housing Opportunity Program Extension Act of 1996,
8 as amended: *Provided further*, That of the total amount
9 provided under this heading, \$30,000,000 shall be made
10 available for the second, third, and fourth capacity build-
11 ing activities authorized under section 4(a) of the HUD
12 Demonstration Act of 1993 (42 U.S.C. 9816 note), of
13 which not less than \$5,000,000 shall be made available
14 for rural capacity building activities: *Provided further*,
15 That of the total amount provided under this heading,
16 \$5,000,000 shall be made available for capacity building
17 by national rural housing organizations with experience
18 assessing national rural conditions and providing financ-
19 ing, training, technical assistance, information, and re-
20 search to local nonprofits, local governments and Indian
21 Tribes serving high need rural communities.

22 HOMELESS ASSISTANCE GRANTS

23 For the Emergency Solutions Grants program as au-
24 thorized under subtitle B of title IV of the McKinney-
25 Vento Homeless Assistance Act, as amended; the Con-

1 tinuum of Care program as authorized under subtitle C
2 of title IV of such Act; and the Rural Housing Stability
3 Assistance program as authorized under subtitle D of title
4 IV of such Act, \$2,383,000,000, to remain available until
5 September 30, 2020: *Provided*, That any rental assistance
6 amounts that are recaptured under such Continuum of
7 Care program shall remain available until expended: *Pro-*
8 *vided further*, That not less than \$270,000,000 of the
9 funds appropriated under this heading shall be available
10 for such Emergency Solutions Grants program: *Provided*
11 *further*, That not less than \$2,106,000,000 of the funds
12 appropriated under this heading shall be available for such
13 Continuum of Care and Rural Housing Stability Assist-
14 ance programs: *Provided further*, That up to \$7,000,000
15 of the funds appropriated under this heading shall be
16 available for the national homeless data analysis project:
17 *Provided further*, That all funds awarded for supportive
18 services under the Continuum of Care program and the
19 Rural Housing Stability Assistance program shall be
20 matched by not less than 25 percent in cash or in kind
21 by each grantee: *Provided further*, That for all match re-
22 quirements applicable to funds made available under this
23 heading for this fiscal year and prior years, a grantee may
24 use (or could have used) as a source of match funds other
25 funds administered by the Secretary and other Federal

1 agencies unless there is (or was) a specific statutory prohi-
2 bition on any such use of any such funds: *Provided further*,
3 That the Secretary shall collect system performance meas-
4 ures for each continuum of care, and that relative to fiscal
5 year 2015, under the Continuum of Care competition with
6 respect to funds made available under this heading, the
7 Secretary shall base an increasing share of the score on
8 performance criteria: *Provided further*, That none of the
9 funds provided under this heading shall be available to
10 provide funding for new projects, except for projects cre-
11 ated through reallocation, unless the Secretary determines
12 that the continuum of care has demonstrated that projects
13 are evaluated and ranked based on the degree to which
14 they improve the continuum of care's system performance:
15 *Provided further*, That the Secretary shall prioritize fund-
16 ing under the Continuum of Care program to continuums
17 of care that have demonstrated a capacity to reallocate
18 funding from lower performing projects to higher per-
19 forming projects: *Provided further*, That all awards of as-
20 sistance under this heading shall be required to coordinate
21 and integrate homeless programs with other mainstream
22 health, social services, and employment programs for
23 which homeless populations may be eligible: *Provided fur-*
24 *ther*, That any unobligated amounts remaining from funds
25 appropriated under this heading in fiscal year 2012 and

1 prior years for project-based rental assistance for rehabili-
2 tation projects with 10-year grant terms may be used for
3 purposes under this heading, notwithstanding the pur-
4 poses for which such funds were appropriated: *Provided*
5 *further*, That all balances for Shelter Plus Care renewals
6 previously funded from the Shelter Plus Care Renewal ac-
7 count and transferred to this account shall be available,
8 if recaptured, for Continuum of Care renewals in fiscal
9 year 2018: *Provided further*, That the Department shall
10 notify grantees of their formula allocation from amounts
11 allocated (which may represent initial or final amounts al-
12 located) for the Emergency Solutions Grant program with-
13 in 60 days of enactment of this Act: *Provided further*, That
14 youth aged 24 and under seeking assistance under this
15 heading shall not be required to provide third party docu-
16 mentation to establish their eligibility under 42 U.S.C.
17 11302(a) or (b) to receive services: *Provided further*, That
18 unaccompanied youth aged 24 and under or families head-
19 ed by youth aged 24 and under who are living in unsafe
20 situations may be served by youth-serving providers fund-
21 ed under this heading.

22 HOUSING PROGRAMS

23 PROJECT-BASED RENTAL ASSISTANCE

24 For activities and assistance for the provision of
25 project-based subsidy contracts under the United States

1 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
2 Act”), not otherwise provided for, \$10,682,000,000, to re-
3 main available until expended, shall be available on Octo-
4 ber 1, 2017 (in addition to the \$400,000,000 previously
5 appropriated under this heading that became available Oc-
6 tober 1, 2017), and \$400,000,000, to remain available
7 until expended, shall be available on October 1, 2018: *Pro-*
8 *vided*, That the amounts made available under this head-
9 ing shall be available for expiring or terminating section
10 8 project-based subsidy contracts (including section 8
11 moderate rehabilitation contracts), for amendments to sec-
12 tion 8 project-based subsidy contracts (including section
13 8 moderate rehabilitation contracts), for contracts entered
14 into pursuant to section 441 of the McKinney-Vento
15 Homeless Assistance Act (42 U.S.C. 11401), for renewal
16 of section 8 contracts for units in projects that are subject
17 to approved plans of action under the Emergency Low In-
18 come Housing Preservation Act of 1987 or the Low-In-
19 come Housing Preservation and Resident Homeownership
20 Act of 1990, and for administrative and other expenses
21 associated with project-based activities and assistance
22 funded under this paragraph: *Provided further*, That
23 amounts recaptured under this heading, the heading “An-
24 nual Contributions for Assisted Housing”, or the heading
25 “Housing Certificate Fund”, may be used for renewals of

1 or amendments to section 8 project-based contracts, not-
2 withstanding the purposes for which such amounts were
3 appropriated: *Provided further*, That, notwithstanding any
4 other provision of law, upon the request of the Secretary
5 of Housing and Urban Development, project funds that
6 are held in residual receipts accounts for any project sub-
7 ject to a section 8 project-based Housing Assistance Pay-
8 ments contract that authorizes HUD or a Housing Fi-
9 nance Agency to require that surplus project funds be de-
10 posited in an interest-bearing residual receipts account
11 and that are in excess of an amount to be determined by
12 the Secretary, shall be remitted to the Department and
13 deposited in this account, to be available until expended:
14 *Provided further*, That amounts deposited pursuant to the
15 previous proviso shall be available in addition to the
16 amount otherwise provided by this heading for uses au-
17 thorized under this heading.

18 HOUSING FOR THE ELDERLY

19 For amendments to capital advance contracts, for
20 housing for the elderly, as authorized by section 202 of
21 the Housing Act of 1959, as amended, and for project
22 rental assistance for the elderly under section 202(c)(2)
23 of such Act, including amendments to contracts for such
24 assistance and renewal of expiring contracts for such as-
25 sistance for up to a 1-year term, and for senior preserva-

tion rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$573,000,000 to remain available until September 30, 2021: *Provided*, That of the amount provided under this heading, up to \$90,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2021: *Provided further*, That amounts deposited in this account pur-

1 suant to the previous proviso shall be available, in addition
2 to the amounts otherwise provided by this heading, for
3 amendments and renewals: *Provided further*, That unobli-
4 gated balances, including recaptures and carryover, re-
5 maining from funds transferred to or appropriated under
6 this heading shall be available for amendments and renew-
7 als notwithstanding the purposes for which such funds
8 originally were appropriated.

9 HOUSING FOR PERSONS WITH DISABILITIES

10 For amendments to capital advance contracts for
11 supportive housing for persons with disabilities, as author-
12 ized by section 811 of the Cranston-Gonzalez National Af-
13 fordable Housing Act (42 U.S.C. 8013), as amended, and
14 for project rental assistance for supportive housing for
15 persons with disabilities under section 811(d)(2) of such
16 Act and for project assistance contracts pursuant to sec-
17 tion 202(h) of the Housing Act of 1959 (Public Law 86–
18 372; 73 Stat. 667), including amendments to contracts for
19 such assistance and renewal of expiring contracts for such
20 assistance for up to a 1-year term, for project rental as-
21 sistance to State housing finance agencies and other ap-
22 propriate entities as authorized under section 811(b)(3)
23 of the Cranston-Gonzalez National Housing Act, and for
24 supportive services associated with the housing for persons
25 with disabilities as authorized by section 811(b)(1) of such

1 Act, \$147,000,000, to remain available until September
2 30, 2021: *Provided*, That amounts made available under
3 this heading shall be available for Real Estate Assessment
4 Center inspections and inspection-related activities associ-
5 ated with section 811 projects: *Provided further*, That, in
6 this fiscal year, upon the request of the Secretary of Hous-
7 ing and Urban Development, project funds that are held
8 in residual receipts accounts for any project subject to a
9 section 811 project rental assistance contract and that
10 upon termination of such contract are in excess of an
11 amount to be determined by the Secretary shall be remit-
12 ted to the Department and deposited in this account, to
13 be available until September 30, 2021: *Provided further*,
14 That amounts deposited in this account pursuant to the
15 previous proviso shall be available in addition to the
16 amounts otherwise provided by this heading for amend-
17 ments and renewals: *Provided further*, That unobligated
18 balances, including recaptures and carryover, remaining
19 from funds transferred to or appropriated under this
20 heading shall be used for amendments and renewals not-
21 withstanding the purposes for which such funds originally
22 were appropriated.

23 HOUSING COUNSELING ASSISTANCE

24 For contracts, grants, and other assistance excluding
25 loans, as authorized under section 106 of the Housing and

1 Urban Development Act of 1968, as amended,
2 \$50,000,000, to remain available until September 30,
3 2019, including up to \$4,500,000 for administrative con-
4 tract services: *Provided*, That grants made available from
5 amounts provided under this heading shall be awarded
6 within 180 days of enactment of this Act: *Provided further*,
7 That funds shall be used for providing counseling and ad-
8 vice to tenants and homeowners, both current and pro-
9 spective, with respect to property maintenance, financial
10 management/literacy, and such other matters as may be
11 appropriate to assist them in improving their housing con-
12 ditions, meeting their financial needs, and fulfilling the re-
13 sponsibilities of tenancy or homeownership; for program
14 administration; and for housing counselor training: *Pro-*
15 *vided further*, That for purposes of providing such grants
16 from amounts provided under this heading, the Secretary
17 may enter into multiyear agreements as appropriate, sub-
18 ject to the availability of annual appropriations.

19 RENTAL HOUSING ASSISTANCE

20 For amendments to contracts under section 101 of
21 the Housing and Urban Development Act of 1965 (12
22 U.S.C. 1701s) and section 236(f)(2) of the National
23 Housing Act (12 U.S.C. 1715z–1) in State-aided, non-
24 insured rental housing projects, \$14,000,000, to remain
25 available until expended: *Provided*, That such amount, to-

1 gether with unobligated balances from recaptured
2 amounts appropriated prior to fiscal year 2006 from ter-
3 minated contracts under such sections of law, and any un-
4 obligated balances, including recaptures and carryover, re-
5 maining from funds appropriated under this heading after
6 fiscal year 2005, shall also be available for extensions of
7 up to one year for expiring contracts under such sections
8 of law.

9 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

10 FUND

11 For necessary expenses as authorized by the National
12 Manufactured Housing Construction and Safety Stand-
13 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
14 \$11,000,000, to remain available until expended, of which
15 \$11,000,000 is to be derived from the Manufactured
16 Housing Fees Trust Fund: *Provided*, That not to exceed
17 the total amount appropriated under this heading shall be
18 available from the general fund of the Treasury to the ex-
19 tent necessary to incur obligations and make expenditures
20 pending the receipt of collections to the Fund pursuant
21 to section 620 of such Act: *Provided further*, That the
22 amount made available under this heading from the gen-
23 eral fund shall be reduced as such collections are received
24 during fiscal year 2018 so as to result in a final fiscal
25 year 2018 appropriation from the general fund estimated

1 at zero, and fees pursuant to such section 620 shall be
2 modified as necessary to ensure such a final fiscal year
3 2018 appropriation: *Provided further*, That for the dispute
4 resolution and installation programs, the Secretary of
5 Housing and Urban Development may assess and collect
6 fees from any program participant: *Provided further*, That
7 such collections shall be deposited into the Fund, and the
8 Secretary, as provided herein, may use such collections,
9 as well as fees collected under section 620, for necessary
10 expenses of such Act: *Provided further*, That, notwith-
11 standing the requirements of section 620 of such Act, the
12 Secretary may carry out responsibilities of the Secretary
13 under such Act through the use of approved service pro-
14 viders that are paid directly by the recipients of their serv-
15 ices.

16 FEDERAL HOUSING ADMINISTRATION

17 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

18 New commitments to guarantee single family loans
19 insured under the Mutual Mortgage Insurance Fund shall
20 not exceed \$400,000,000,000, to remain available until
21 September 30, 2019: *Provided*, That during fiscal year
22 2018, obligations to make direct loans to carry out the
23 purposes of section 204(g) of the National Housing Act,
24 as amended, shall not exceed \$5,000,000: *Provided fur-*
25 *ther*, That the foregoing amount in the previous proviso

1 shall be for loans to nonprofit and governmental entities
2 in connection with sales of single family real properties
3 owned by the Secretary and formerly insured under the
4 Mutual Mortgage Insurance Fund: *Provided further*, That
5 for administrative contract expenses of the Federal Hous-
6 ing Administration, \$135,000,000, to remain available
7 until September 30, 2019: *Provided further*, That to the
8 extent guaranteed loan commitments exceed
9 \$200,000,000,000 on or before April 1, 2018, an addi-
10 tional \$1,400 for administrative contract expenses shall be
11 available for each \$1,000,000 in additional guaranteed
12 loan commitments (including a pro rata amount for any
13 amount below \$1,000,000), but in no case shall funds
14 made available by this proviso exceed \$30,000,000: *Pro-*
15 *vided further*, That during fiscal year 2018 the Secretary
16 may insure and enter into new commitments to insure
17 mortgages under section 255 of the National Housing Act
18 only to the extent that the net credit subsidy cost for such
19 insurance does not exceed zero.

20 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

21 New commitments to guarantee loans insured under
22 the General and Special Risk Insurance Funds, as author-
23 ized by sections 238 and 519 of the National Housing Act
24 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
25 \$30,000,000,000 in total loan principal, any part of which

1 is to be guaranteed, to remain available until September
2 30, 2019: *Provided*, That during fiscal year 2018, gross
3 obligations for the principal amount of direct loans, as au-
4 thorized by sections 204(g), 207(l), 238, and 519(a) of
5 the National Housing Act, shall not exceed \$5,000,000,
6 which shall be for loans to nonprofit and governmental en-
7 tities in connection with the sale of single family real prop-
8 erties owned by the Secretary and formerly insured under
9 such Act.

10 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
11 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
12 GUARANTEE PROGRAM ACCOUNT

13 New commitments to issue guarantees to carry out
14 the purposes of section 306 of the National Housing Act,
15 as amended (12 U.S.C. 1721(g)), shall not exceed
16 \$500,000,000,000, to remain available until September
17 30, 2019: *Provided*, That \$25,400,000 shall be available
18 for necessary salaries and expenses of the Office of Gov-
19 ernment National Mortgage Association: *Provided further*,
20 That to the extent that guaranteed loan commitments ex-
21 ceed \$155,000,000,000 on or before April 1, 2018, an ad-
22 ditional \$100 for necessary salaries and expenses shall be
23 available until expended for each \$1,000,000 in additional
24 guaranteed loan commitments (including a pro rata
25 amount for any amount below \$1,000,000), but in no case

1 shall funds made available by this proviso exceed
2 \$3,000,000: *Provided further*, That receipts from Commit-
3 ment and Multiclass fees collected pursuant to title III of
4 the National Housing Act, as amended, shall be credited
5 as offsetting collections to this account.

6 POLICY DEVELOPMENT AND RESEARCH

7 RESEARCH AND TECHNOLOGY

8 For contracts, grants, and necessary expenses of pro-
9 grams of research and studies relating to housing and
10 urban problems, not otherwise provided for, as authorized
11 by title V of the Housing and Urban Development Act
12 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
13 out the functions of the Secretary of Housing and Urban
14 Development under section 1(a)(1)(i) of Reorganization
15 Plan No. 2 of 1968, and for technical assistance,
16 \$85,000,000, to remain available until September 30,
17 2019: *Provided*, That with respect to amounts made avail-
18 able under this heading, notwithstanding section 203 of
19 this title, the Secretary may enter into cooperative agree-
20 ments funded with philanthropic entities, other Federal
21 agencies, or State or local governments and their agencies
22 for research projects: *Provided further*, That with respect
23 to the previous proviso, such partners to the cooperative
24 agreements must contribute at least a 50 percent match
25 toward the cost of the project: *Provided further*, That for

1 non-competitive agreements entered into in accordance
2 with the previous two provisos, the Secretary of Housing
3 and Urban Development shall comply with section 2(b) of
4 the Federal Funding Accountability and Transparency
5 Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu
6 of compliance with section 102(a)(4)(C) with respect to
7 documentation of award decisions: *Provided further*, That
8 prior to obligation of technical assistance funding, the Sec-
9 retary shall submit a plan, for approval, to the House and
10 Senate Committees on Appropriations on how it will allo-
11 cate funding for this activity.

12 FAIR HOUSING AND EQUAL OPPORTUNITY

13 FAIR HOUSING ACTIVITIES

14 For contracts, grants, and other assistance, not oth-
15 erwise provided for, as authorized by title VIII of the Civil
16 Rights Act of 1968, as amended by the Fair Housing
17 Amendments Act of 1988, and section 561 of the Housing
18 and Community Development Act of 1987, as amended,
19 \$65,300,000, to remain available until September 30,
20 2019: *Provided*, That notwithstanding 31 U.S.C. 3302,
21 the Secretary may assess and collect fees to cover the costs
22 of the Fair Housing Training Academy, and may use such
23 funds to provide such training: *Provided further*, That no
24 funds made available under this heading shall be used to
25 lobby the executive or legislative branches of the Federal

1 Government in connection with a specific contract, grant,
2 or loan: *Provided further*, That of the funds made available
3 under this heading, \$300,000 shall be available to the Sec-
4 retary of Housing and Urban Development for the cre-
5 ation and promotion of translated materials and other pro-
6 grams that support the assistance of persons with limited
7 English proficiency in utilizing the services provided by
8 the Department of Housing and Urban Development.

9 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
10 HOMES

11 LEAD HAZARD REDUCTION

12 For the Lead Hazard Reduction Program, as author-
13 ized by section 1011 of the Residential Lead-Based Paint
14 Hazard Reduction Act of 1992, \$130,000,000, to remain
15 available until September 30, 2019, of which \$25,000,000
16 shall be for the Healthy Homes Initiative, pursuant to sec-
17 tions 501 and 502 of the Housing and Urban Develop-
18 ment Act of 1970, that shall include research, studies,
19 testing, and demonstration efforts, including education
20 and outreach concerning lead-based paint poisoning and
21 other housing-related diseases and hazards: *Provided*,
22 That for purposes of environmental review, pursuant to
23 the National Environmental Policy Act of 1969 (42 U.S.C.
24 4321 et seq.) and other provisions of the law that further
25 the purposes of such Act, a grant under the Healthy

1 Homes Initiative, or the Lead Technical Studies program
2 under this heading or under prior appropriations Acts for
3 such purposes under this heading, shall be considered to
4 be funds for a special project for purposes of section
5 305(c) of the Multifamily Housing Property Disposition
6 Reform Act of 1994: *Provided further*, That of the total
7 amount made available under this heading, \$50,000,000
8 shall be made available on a competitive basis for areas
9 with the highest lead-based paint abatement needs: *Pro-*
10 *vided further*, That each recipient of funds provided under
11 the previous proviso shall contribute an amount not less
12 than 25 percent of the total: *Provided further*, That each
13 applicant shall certify adequate capacity that is acceptable
14 to the Secretary to carry out the proposed use of funds
15 pursuant to a notice of funding availability: *Provided fur-*
16 *ther*, That amounts made available under this heading in
17 this or prior appropriations Acts, and that still remain
18 available, may be used for any purpose under this heading
19 notwithstanding the purpose for which such amounts were
20 appropriated if a program competition is undersubscribed
21 and there are other program competitions under this head-
22 ing that are oversubscribed.

23 INFORMATION TECHNOLOGY FUND

24 For the development of, modifications to, and infra-
25 structure for Department-wide and program-specific infor-

1 mation technology systems, for the continuing operation
2 and maintenance of both Department-wide and program-
3 specific information systems, and for program-related
4 maintenance activities, \$150,000,000 shall remain avail-
5 able until September 30, 2019: *Provided*, That any
6 amounts transferred to this Fund under this Act shall re-
7 main available until expended: *Provided further*, That any
8 amounts transferred to this Fund from amounts appro-
9 priated by previously enacted appropriations Acts may be
10 used for the purposes specified under this Fund, in addi-
11 tion to any other information technology purposes for
12 which such amounts were appropriated.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary salaries and expenses of the Office of
15 Inspector General in carrying out the Inspector General
16 Act of 1978, as amended, \$128,082,000: *Provided*, That
17 the Inspector General shall have independent authority
18 over all personnel issues within this office.

19 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
20 URBAN DEVELOPMENT

21 (INCLUDING TRANSFER OF FUNDS)

22 (INCLUDING RESCISSION)

23 SEC. 201. Fifty percent of the amounts of budget au-
24 thority, or in lieu thereof 50 percent of the cash amounts
25 associated with such budget authority, that are recaptured

1 from projects described in section 1012(a) of the Stewart
2 B. McKinney Homeless Assistance Amendments Act of
3 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
4 case of cash, shall be remitted to the Treasury, and such
5 amounts of budget authority or cash recaptured and not
6 rescinded or remitted to the Treasury shall be used by
7 State housing finance agencies or local governments or
8 local housing agencies with projects approved by the Sec-
9 retary of Housing and Urban Development for which set-
10 tlement occurred after January 1, 1992, in accordance
11 with such section. Notwithstanding the previous sentence,
12 the Secretary may award up to 15 percent of the budget
13 authority or cash recaptured and not rescinded or remitted
14 to the Treasury to provide project owners with incentives
15 to refinance their project at a lower interest rate.

16 SEC. 202. None of the amounts made available under
17 this Act may be used during fiscal year 2018 to investigate
18 or prosecute under the Fair Housing Act any otherwise
19 lawful activity engaged in by one or more persons, includ-
20 ing the filing or maintaining of a nonfrivolous legal action,
21 that is engaged in solely for the purpose of achieving or
22 preventing action by a Government official or entity, or
23 a court of competent jurisdiction.

24 SEC. 203. Except as explicitly provided in law, any
25 grant, cooperative agreement or other assistance made

1 pursuant to title II of this Act shall be made on a competi-
2 tive basis and in accordance with section 102 of the De-
3 partment of Housing and Urban Development Reform Act
4 of 1989 (42 U.S.C. 3545).

5 SEC. 204. Funds of the Department of Housing and
6 Urban Development subject to the Government Corpora-
7 tion Control Act or section 402 of the Housing Act of
8 1950 shall be available, without regard to the limitations
9 on administrative expenses, for legal services on a contract
10 or fee basis, and for utilizing and making payment for
11 services and facilities of the Federal National Mortgage
12 Association, Government National Mortgage Association,
13 Federal Home Loan Mortgage Corporation, Federal Fi-
14 nancing Bank, Federal Reserve banks or any member
15 thereof, Federal Home Loan banks, and any insured bank
16 within the meaning of the Federal Deposit Insurance Cor-
17 poration Act, as amended (12 U.S.C. 1811–1).

18 SEC. 205. Unless otherwise provided for in this Act
19 or through a reprogramming of funds, no part of any ap-
20 propriation for the Department of Housing and Urban
21 Development shall be available for any program, project
22 or activity in excess of amounts set forth in the budget
23 estimates submitted to Congress.

24 SEC. 206. Corporations and agencies of the Depart-
25 ment of Housing and Urban Development which are sub-

1 ject to the Government Corporation Control Act are here-
2 by authorized to make such expenditures, within the limits
3 of funds and borrowing authority available to each such
4 corporation or agency and in accordance with law, and to
5 make such contracts and commitments without regard to
6 fiscal year limitations as provided by section 104 of such
7 Act as may be necessary in carrying out the programs set
8 forth in the budget for 2018 for such corporation or agen-
9 cy except as hereinafter provided: *Provided*, That collec-
10 tions of these corporations and agencies may be used for
11 new loan or mortgage purchase commitments only to the
12 extent expressly provided for in this Act (unless such loans
13 are in support of other forms of assistance provided for
14 in this or prior appropriations Acts), except that this pro-
15 viso shall not apply to the mortgage insurance or guaranty
16 operations of these corporations, or where loans or mort-
17 gage purchases are necessary to protect the financial in-
18 terest of the United States Government.

19 SEC. 207. The Secretary of Housing and Urban De-
20 velopment shall provide quarterly reports to the House
21 and Senate Committees on Appropriations regarding all
22 uncommitted, unobligated, recaptured and excess funds in
23 each program and activity within the jurisdiction of the
24 Department and shall submit additional, updated budget
25 information to these Committees upon request.

1 SEC. 208. The President's formal budget request for
2 fiscal year 2019, as well as the Department of Housing
3 and Urban Development's congressional budget justifica-
4 tions to be submitted to the Committees on Appropriations
5 of the House of Representatives and the Senate, shall use
6 the identical account and sub-account structure provided
7 under this Act.

8 SEC. 209. No funds provided under this title may be
9 used for an audit of the Government National Mortgage
10 Association that makes applicable requirements under the
11 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

12 SEC. 210. (a) Notwithstanding any other provision
13 of law, subject to the conditions listed under this section,
14 for fiscal years 2018 and 2019, the Secretary of Housing
15 and Urban Development may authorize the transfer of
16 some or all project-based assistance, debt held or insured
17 by the Secretary and statutorily required low-income and
18 very low-income use restrictions if any, associated with one
19 or more multifamily housing project or projects to another
20 multifamily housing project or projects.

21 (b) PHASED TRANSFERS.—Transfers of project-
22 based assistance under this section may be done in phases
23 to accommodate the financing and other requirements re-
24 lated to rehabilitating or constructing the project or
25 projects to which the assistance is transferred, to ensure

1 that such project or projects meet the standards under
2 subsection (c).

3 (c) The transfer authorized in subsection (a) is sub-
4 ject to the following conditions:

5 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

6 (A) For occupied units in the transferring
7 project: The number of low-income and very
8 low-income units and the configuration (i.e.,
9 bedroom size) provided by the transferring
10 project shall be no less than when transferred
11 to the receiving project or projects and the net
12 dollar amount of Federal assistance provided to
13 the transferring project shall remain the same
14 in the receiving project or projects.

15 (B) For unoccupied units in the transfer-
16 ring project: The Secretary may authorize a re-
17 duction in the number of dwelling units in the
18 receiving project or projects to allow for a re-
19 configuration of bedroom sizes to meet current
20 market demands, as determined by the Sec-
21 retary and provided there is no increase in the
22 project-based assistance budget authority.

23 (2) The transferring project shall, as deter-
24 mined by the Secretary, be either physically obsolete
25 or economically nonviable.

1 (3) The receiving project or projects shall meet
2 or exceed applicable physical standards established
3 by the Secretary.

4 (4) The owner or mortgagor of the transferring
5 project shall notify and consult with the tenants re-
6 siding in the transferring project and provide a cer-
7 tification of approval by all appropriate local govern-
8 mental officials.

9 (5) The tenants of the transferring project who
10 remain eligible for assistance to be provided by the
11 receiving project or projects shall not be required to
12 vacate their units in the transferring project or
13 projects until new units in the receiving project are
14 available for occupancy.

15 (6) The Secretary determines that this transfer
16 is in the best interest of the tenants.

17 (7) If either the transferring project or the re-
18 ceiving project or projects meets the condition speci-
19 fied in subsection (d)(2)(A), any lien on the receiv-
20 ing project resulting from additional financing ob-
21 tained by the owner shall be subordinate to any
22 FHA-insured mortgage lien transferred to, or placed
23 on, such project by the Secretary, except that the
24 Secretary may waive this requirement upon deter-
25 mination that such a waiver is necessary to facilitate

1 the financing of acquisition, construction, and/or re-
2 habilitation of the receiving project or projects.

3 (8) If the transferring project meets the re-
4 quirements of subsection (d)(2), the owner or mort-
5 gator of the receiving project or projects shall exe-
6 cute and record either a continuation of the existing
7 use agreement or a new use agreement for the
8 project where, in either case, any use restrictions in
9 such agreement are of no lesser duration than the
10 existing use restrictions.

11 (9) The transfer does not increase the cost (as
12 defined in section 502 of the Congressional Budget
13 Act of 1974, as amended) of any FHA-insured
14 mortgage, except to the extent that appropriations
15 are provided in advance for the amount of any such
16 increased cost.

17 (d) For purposes of this section—

18 (1) the terms “low-income” and “very low-in-
19 come” shall have the meanings provided by the stat-
20 ute and/or regulations governing the program under
21 which the project is insured or assisted;

22 (2) the term “multifamily housing project”
23 means housing that meets one of the following con-
24 ditions—

1 (A) housing that is subject to a mortgage
2 insured under the National Housing Act;

3 (B) housing that has project-based assist-
4 ance attached to the structure including
5 projects undergoing mark to market debt re-
6 structuring under the Multifamily Assisted
7 Housing Reform and Affordability Housing Act;

8 (C) housing that is assisted under section
9 202 of the Housing Act of 1959, as amended
10 by section 801 of the Cranston-Gonzales Na-
11 tional Affordable Housing Act;

12 (D) housing that is assisted under section
13 202 of the Housing Act of 1959, as such sec-
14 tion existed before the enactment of the Cran-
15 ston-Gonzales National Affordable Housing Act;

16 (E) housing that is assisted under section
17 811 of the Cranston-Gonzales National Afford-
18 able Housing Act; or

19 (F) housing or vacant land that is subject
20 to a use agreement;

21 (3) the term “project-based assistance”
22 means—

23 (A) assistance provided under section 8(b)
24 of the United States Housing Act of 1937;

1 (B) assistance for housing constructed or
2 substantially rehabilitated pursuant to assist-
3 ance provided under section 8(b)(2) of such Act
4 (as such section existed immediately before Oc-
5 tober 1, 1983);

6 (C) rent supplement payments under sec-
7 tion 101 of the Housing and Urban Develop-
8 ment Act of 1965;

9 (D) interest reduction payments under sec-
10 tion 236 and/or additional assistance payments
11 under section 236(f)(2) of the National Hous-
12 ing Act;

13 (E) assistance payments made under sec-
14 tion 202(e)(2) of the Housing Act of 1959; and

15 (F) assistance payments made under sec-
16 tion 811(d)(2) of the Cranston-Gonzalez Na-
17 tional Affordable Housing Act;

18 (4) the term “receiving project or projects”
19 means the multifamily housing project or projects to
20 which some or all of the project-based assistance,
21 debt, and statutorily required low-income and very
22 low-income use restrictions are to be transferred;

23 (5) the term “transferring project” means the
24 multifamily housing project which is transferring
25 some or all of the project-based assistance, debt, and

1 the statutorily required low-income and very low-in-
2 come use restrictions to the receiving project or
3 projects; and

4 (6) the term “Secretary” means the Secretary
5 of Housing and Urban Development.

6 (e) RESEARCH REPORT.—The Secretary shall con-
7 duct an evaluation of the transfer authority under this sec-
8 tion, including the effect of such transfers on the oper-
9 ational efficiency, contract rents, physical and financial
10 conditions, and long-term preservation of the affected
11 properties.

12 SEC. 211. (a) No assistance shall be provided under
13 section 8 of the United States Housing Act of 1937 (42
14 U.S.C. 1437f) to any individual who—

15 (1) is enrolled as a student at an institution of
16 higher education (as defined under section 102 of
17 the Higher Education Act of 1965 (20 U.S.C.
18 1002));

19 (2) is under 24 years of age;

20 (3) is not a veteran;

21 (4) is unmarried;

22 (5) does not have a dependent child;

23 (6) is not a person with disabilities, as such
24 term is defined in section 3(b)(3)(E) of the United
25 States Housing Act of 1937 (42 U.S.C.

1 1437a(b)(3)(E)) and was not receiving assistance
2 under such section 8 as of November 30, 2005;

3 (7) is not a youth who left foster care at age
4 14 or older and is at risk of becoming homeless; and
5 (8) is not otherwise individually eligible, or has
6 parents who, individually or jointly, are not eligible,
7 to receive assistance under section 8 of the United
8 States Housing Act of 1937 (42 U.S.C. 1437f).

9 (b) For purposes of determining the eligibility of a
10 person to receive assistance under section 8 of the United
11 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
12 cial assistance (in excess of amounts received for tuition
13 and any other required fees and charges) that an indi-
14 vidual receives under the Higher Education Act of 1965
15 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
16 tution of higher education (as defined under the Higher
17 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
18 ered income to that individual, except for a person over
19 the age of 23 with dependent children.

20 SEC. 212. The funds made available for Native Alas-
21 kans under the heading “Native American Housing Block
22 Grants” in title II of this Act shall be allocated to the
23 same Native Alaskan housing block grant recipients that
24 received funds in fiscal year 2005.

1 SEC. 213. Notwithstanding the limitation in the first
2 sentence of section 255(g) of the National Housing Act
3 (12 U.S.C. 1715z–20(g)), the Secretary of Housing and
4 Urban Development may, until September 30, 2018, in-
5 sure and enter into commitments to insure mortgages
6 under such section 255.

7 SEC. 214. Notwithstanding any other provision of
8 law, in fiscal year 2018, in managing and disposing of any
9 multifamily property that is owned or has a mortgage held
10 by the Secretary of Housing and Urban Development, and
11 during the process of foreclosure on any property with a
12 contract for rental assistance payments under section 8
13 of the United States Housing Act of 1937 or other Fed-
14 eral programs, the Secretary shall maintain any rental as-
15 sistance payments under section 8 of the United States
16 Housing Act of 1937 and other programs that are at-
17 tached to any dwelling units in the property. To the extent
18 the Secretary determines, in consultation with the tenants
19 and the local government, that such a multifamily prop-
20 erty owned or held by the Secretary is not feasible for con-
21 tinued rental assistance payments under such section 8
22 or other programs, based on consideration of (1) the costs
23 of rehabilitating and operating the property and all avail-
24 able Federal, State, and local resources, including rent ad-
25 justments under section 524 of the Multifamily Assisted

1 Housing Reform and Affordability Act of 1997
2 (“MAHRAA”) and (2) environmental conditions that can-
3 not be remedied in a cost-effective fashion, the Secretary
4 may, in consultation with the tenants of that property,
5 contract for project-based rental assistance payments with
6 an owner or owners of other existing housing properties,
7 or provide other rental assistance. The Secretary shall also
8 take appropriate steps to ensure that project-based con-
9 tracts remain in effect prior to foreclosure, subject to the
10 exercise of contractual abatement remedies to assist relo-
11 cation of tenants for imminent major threats to health and
12 safety after written notice to and informed consent of the
13 affected tenants and use of other available remedies, such
14 as partial abatements or receivership. After disposition of
15 any multifamily property described under this section, the
16 contract and allowable rent levels on such properties shall
17 be subject to the requirements under section 524 of
18 MAHRAA.

19 SEC. 215. The commitment authority funded by fees
20 as provided under the heading “Community Development
21 Loan Guarantees Program Account” may be used to guar-
22 antee, or make commitments to guarantee, notes, or other
23 obligations issued by any State on behalf of non-entitle-
24 ment communities in the State in accordance with the re-
25 quirements of section 108 of the Housing and Community

1 Development Act of 1974: *Provided*, That any State re-
2 ceiving such a guarantee or commitment shall distribute
3 all funds subject to such guarantee to the units of general
4 local government in non-entitlement areas that received
5 the commitment.

6 SEC. 216. Public housing agencies that own and oper-
7 ate 400 or fewer public housing units may elect to be ex-
8 empt from any asset management requirement imposed by
9 the Secretary of Housing and Urban Development in con-
10 nection with the operating fund rule: *Provided*, That an
11 agency seeking a discontinuance of a reduction of subsidy
12 under the operating fund formula shall not be exempt
13 from asset management requirements.

14 SEC. 217. With respect to the use of amounts pro-
15 vided in this Act and in future Acts for the operation, cap-
16 ital improvement and management of public housing as
17 authorized by sections 9(d) and 9(e) of the United States
18 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
19 Secretary shall not impose any requirement or guideline
20 relating to asset management that restricts or limits in
21 any way the use of capital funds for central office costs
22 pursuant to section 9(g)(1) or 9(g)(2) of the United States
23 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
24 *vided*, That a public housing agency may not use capital
25 funds authorized under section 9(d) for activities that are

1 eligible under section 9(e) for assistance with amounts
2 from the operating fund in excess of the amounts per-
3 mitted under section 9(g)(1) or 9(g)(2).

4 SEC. 218. No official or employee of the Department
5 of Housing and Urban Development shall be designated
6 as an allotment holder unless the Office of the Chief Fi-
7 nancial Officer has determined that such allotment holder
8 has implemented an adequate system of funds control and
9 has received training in funds control procedures and di-
10 rectives. The Chief Financial Officer shall ensure that
11 there is a trained allotment holder for each HUD sub-
12 office under the accounts “Executive Offices” and “Ad-
13 ministrative Support Offices,” as well as each account re-
14 ceiving appropriations for “Program Office Salaries and
15 Expenses”, “Government National Mortgage Associa-
16 tion—Guarantees of Mortgage-Backed Securities Loan
17 Guarantee Program Account”, and “Office of Inspector
18 General” within the Department of Housing and Urban
19 Development.

20 SEC. 219. The Secretary of the Department of Hous-
21 ing and Urban Development shall, for fiscal year 2018,
22 notify the public through the Federal Register and other
23 means, as determined appropriate, of the issuance of a no-
24 tice of the availability of assistance or notice of funding
25 availability (NOFA) for any program or discretionary

1 fund administered by the Secretary that is to be competi-
2 tively awarded. Notwithstanding any other provision of
3 law, for fiscal year 2018, the Secretary may make the
4 NOFA available only on the Internet at the appropriate
5 Government web site or through other electronic media,
6 as determined by the Secretary.

7 SEC. 220. Payment of attorney fees in program-re-
8 lated litigation shall be paid from the individual program
9 office and Office of General Counsel salaries and expenses
10 appropriations. The annual budget submission for the pro-
11 gram offices and the Office of General Counsel shall in-
12 clude any such projected litigation costs for attorney fees
13 as a separate line item request. No funds provided in this
14 title may be used to pay any such litigation costs for attor-
15 ney fees until the Department submits for review a spend-
16 ing plan for such costs to the House and Senate Commit-
17 tees on Appropriations.

18 SEC. 221. The Secretary is authorized to transfer up
19 to 10 percent or \$4,000,000, whichever is less, of funds
20 appropriated for any office under the heading “Adminis-
21 trative Support Offices” or for any account under the gen-
22 eral heading “Program Office Salaries and Expenses” to
23 any other such office or account: *Provided*, That no appro-
24 priation for any such office or account shall be increased
25 or decreased by more than 10 percent or \$4,000,000,

1 whichever is less, without prior written approval of the
2 House and Senate Committees on Appropriations: *Pro-*
3 *vided further*, That the Secretary shall provide notification
4 to such Committees three business days in advance of any
5 such transfers under this section up to 10 percent or
6 \$4,000,000, whichever is less.

7 SEC. 222. (a) Any entity receiving housing assistance
8 payments shall maintain decent, safe, and sanitary condi-
9 tions, as determined by the Secretary of Housing and
10 Urban Development (in this section referred to as the
11 “Secretary”), and comply with any standards under appli-
12 cable State or local laws, rules, ordinances, or regulations
13 relating to the physical condition of any property covered
14 under a housing assistance payment contract.

15 (b) The Secretary shall take action under subsection
16 (c) when a multifamily housing project with a section 8
17 contract or contract for similar project-based assistance—

18 (1) receives a Uniform Physical Condition
19 Standards (UPCS) score of 60 or less; or

20 (2) fails to certify in writing to the Secretary
21 within 3 days that all Exigent Health and Safety de-
22 ficiencies identified by the inspector at the project
23 have been corrected.

24 Such requirements shall apply to insured and noninsured
25 projects with assistance attached to the units under sec-

tion 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the REAC inspection, the Secretary must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as des-

1 ignated by the Secretary, with priority given to the
2 tenants of the property affected by the penalty;

3 (C) abate the section 8 contract, including par-
4 tial abatement, as determined by the Secretary, until
5 all deficiencies have been corrected;

6 (D) pursue transfer of the project to an owner,
7 approved by the Secretary under established proce-
8 dures, which will be obligated to promptly make all
9 required repairs and to accept renewal of the assist-
10 ance contract as long as such renewal is offered;

11 (E) transfer the existing section 8 contract to
12 another project or projects and owner or owners;

13 (F) pursue exclusionary sanctions, including
14 suspensions or debarments from Federal programs;

15 (G) seek judicial appointment of a receiver to
16 manage the property and cure all project deficiencies
17 or seek a judicial order of specific performance re-
18 quiring the owner to cure all project deficiencies;

19 (H) work with the owner, lender, or other re-
20 lated party to stabilize the property in an attempt
21 to preserve the property through compliance, trans-
22 fer of ownership, or an infusion of capital provided
23 by a third-party that requires time to effectuate; or

1 (I) take any other regulatory or contractual
2 remedies available as deemed necessary and appro-
3 priate by the Secretary.

4 (d) The Secretary shall also take appropriate steps
5 to ensure that project-based contracts remain in effect,
6 subject to the exercise of contractual abatement remedies
7 to assist relocation of tenants for major threats to health
8 and safety after written notice to the affected tenants. To
9 the extent the Secretary determines, in consultation with
10 the tenants and the local government, that the property
11 is not feasible for continued rental assistance payments
12 under such section 8 or other programs, based on consid-
13 eration of—

14 (1) the costs of rehabilitating and operating the
15 property and all available Federal, State, and local
16 resources, including rent adjustments under section
17 524 of the Multifamily Assisted Housing Reform
18 and Affordability Act of 1997 (“MAHRAA”); and

19 (2) environmental conditions that cannot be
20 remedied in a cost-effective fashion, the Secretary
21 may contract for project-based rental assistance pay-
22 ments with an owner or owners of other existing
23 housing properties, or provide other rental assist-
24 ance.

1 (e) The Secretary shall report quarterly on all prop-
2 erties covered by this section that are assessed through
3 the Real Estate Assessment Center and have UPCS phys-
4 ical inspection scores of less than 60 or have received an
5 unsatisfactory management and occupancy review within
6 the past 36 months. The report shall include—

7 (1) the enforcement actions being taken to ad-
8 dress such conditions, including imposition of civil
9 money penalties and termination of subsidies, and
10 identify properties that have such conditions mul-
11 tiple times;

12 (2) actions that the Department of Housing
13 and Urban Development is taking to protect tenants
14 of such identified properties; and

15 (3) any administrative or legislative rec-
16 ommendations to further improve the living condi-
17 tions at properties covered under a housing assist-
18 ance payment contract.

19 SEC. 223. None of the funds made available by this
20 Act, or any other Act, for purposes authorized under sec-
21 tion 8 (only with respect to the tenant-based rental assist-
22 ance program) and section 9 of the United States Housing
23 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
24 any public housing agency for any amount of salary, in-
25 cluding bonuses, for the chief executive officer of which,

1 or any other official or employee of which, that exceeds
2 the annual rate of basic pay payable for a position at level
3 IV of the Executive Schedule at any time during any pub-
4 lic housing agency fiscal year 2018.

5 SEC. 224. None of the funds in this Act may be avail-
6 able for the doctoral dissertation research grant program
7 at the Department of Housing and Urban Development.

8 SEC. 225. Section 24 of the United States Housing
9 Act of 1937 (42 U.S.C. 1437v) is amended—

10 (1) in subsection (m)(1), by striking “fiscal
11 year” and all that follows through the period at the
12 end and inserting “fiscal year 2018.”; and

13 (2) in subsection (o), by striking “September”
14 and all that follows through the period at the end
15 and inserting “September 30, 2018.”.

16 SEC. 226. None of the funds in this Act provided to
17 the Department of Housing and Urban Development may
18 be used to make a grant award unless the Secretary noti-
19 fies the House and Senate Committees on Appropriations
20 not less than 3 full business days before any project,
21 State, locality, housing authority, tribe, nonprofit organi-
22 zation, or other entity selected to receive a grant award
23 is announced by the Department or its offices.

1 SEC. 227. None of the funds made available by this
2 Act may be used to require or enforce the Physical Needs
3 Assessment (PNA).

4 SEC. 228. None of the funds made available in this
5 Act shall be used by the Federal Housing Administration,
6 the Government National Mortgage Administration, or the
7 Department of Housing and Urban Development to in-
8 sure, securitize, or establish a Federal guarantee of any
9 mortgage or mortgage backed security that refinances or
10 otherwise replaces a mortgage that has been subject to
11 eminent domain condemnation or seizure, by a State, mu-
12 nicipality, or any other political subdivision of a State.

13 SEC. 229. None of the funds made available by this
14 Act may be used to terminate the status of a unit of gen-
15 eral local government as a metropolitan city (as defined
16 in section 102 of the Housing and Community Develop-
17 ment Act of 1974 (42 U.S.C. 5302)) with respect to
18 grants under section 106 of such Act (42 U.S.C. 5306).

19 SEC. 230. Amounts made available under this Act
20 which are either appropriated, allocated, advanced on a
21 reimbursable basis, or transferred to the Office of Policy
22 Development and Research in the Department of Housing
23 and Urban Development and functions thereof, for re-
24 search, evaluation, or statistical purposes, and which are
25 unexpended at the time of completion of a contract, grant,

1 or cooperative agreement, may be deobligated and shall
2 immediately become available and may be reobligated in
3 that fiscal year or the subsequent fiscal year for the re-
4 search, evaluation, or statistical purposes for which the
5 amounts are made available to that Office subject to re-
6 programming requirements in section 405 of this Act.

7 SEC. 231. Employees of the Department of Housing
8 and Urban Development who are subject to administrative
9 discipline in fiscal year 2018, including suspension from
10 work, shall not receive awards (including performance,
11 special act, or spot) for the remainder of fiscal year 2018
12 after the effective date of the disciplinary action.

13 SEC. 232. With respect to grant amounts awarded
14 under the heading “Homeless Assistance Grants” for fis-
15 cal years 2016, 2017, and 2018 for the continuum of care
16 (CoC) program as authorized under subtitle C of title IV
17 of the McKinney-Vento Homeless Assistance Act, costs
18 paid by program income of grant recipients may count to-
19 ward meeting the recipient’s matching requirements, pro-
20 vided the costs are eligible CoC costs that supplement the
21 recipients CoC program.

22 SEC. 233. (a) From amounts made available under
23 this title under the heading “Homeless Assistance
24 Grants”, the Secretary may award 1-year transition
25 grants to recipients of funds for activities under subtitle

1 C of the McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11381 et seq.) to transition from one Continuum
3 of Care program component to another.

4 (b) No more than 50 percent of each transition grant
5 may be used for costs of eligible activities of the program
6 component originally funded.

7 (c) Transition grants made under this section are eli-
8 gible for renewal in subsequent fiscal years for the eligible
9 activities of the new program component.

10 (d) In order to be eligible to receive a transition
11 grant, the funding recipient must have the consent of the
12 Continuum of Care and meet standards determined by the
13 Secretary.

14 SEC. 234. None of the funds made available by this
15 Act may be used by the Department of Housing and
16 Urban Development to direct a grantee to undertake spe-
17 cific changes to existing zoning laws as part of carrying
18 out the final rule entitled “Affirmatively Furthering Fair
19 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
20 notice entitled “Affirmatively Furthering Fair Housing
21 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
22 2014)).

23 SEC. 235. Section 579 of the Multifamily Assisted
24 Housing Reform and Affordability Act of 1997 (42 U.S.C.
25 1437f note) is amended by striking “October 1, 2017”

1 each place it appears and inserting in lieu thereof “Octo-
2 ber 1, 2022”.

3 SEC. 236. None of the funds made available under
4 this Act for new guarantees of mortgages insured under
5 the Mutual Mortgage Insurance Fund may be used to
6 guarantee or insure any mortgage on a property that is
7 subject to a loan or other obligation, including those billed
8 as taxes or assessments, for the purpose of financing any
9 improvements under a Property Assessed Clean Energy
10 or substantially similar program, if any portion of such
11 loan or obligation is or has the potential to be in a lien
12 position superior to the mortgage to be insured or guaran-
13 teed under the Mutual Mortgage Insurance Fund.

14 SEC. 237. The matter under the heading “Rental As-
15 sistance Demonstration” in the Department of Housing
16 and Urban Development Appropriations Act, 2012 (42
17 U.S.C. 1437f note), as amended, is amended—

18 (1) in the 14th proviso—

19 (A) by inserting “or nonprofit” before “en-
20 tity, then a capable entity,”; and

21 (B) by striking “preserves its interest” and
22 inserting “or a nonprofit entity preserves an in-
23 terest”;

24 (2) by striking the 18th proviso and inserting
25 the following: “*Provided further*, That for fiscal year

1 2012 and hereafter, owners of properties assisted or
2 previously assisted under section 101 of the Housing
3 and Urban Development Act of 1965, section
4 236(f)(2) of the National Housing Act, or section
5 8(e)(2) of the United States Housing Act of 1937,
6 for which a contract expires or terminates due to
7 prepayment on or after October 1, 2006, has caused
8 or results in the termination of rental assistance or
9 affordability restrictions or both and the issuance of
10 tenant protection vouchers under section 8(o) or sec-
11 tion 8(t) of the Act, or with a project rental assist-
12 ance contract under section 202(c)(2) of Housing
13 Act of 1959, shall be eligible, subject to require-
14 ments established by the Secretary, including but
15 not limited to tenant consultation procedures, for
16 conversion of assistance available or provided for
17 such vouchers or assistance contracts, to assistance
18 under a long-term project-based subsidy contract
19 under section 8 of the Act, which shall have a term
20 of no less than 20 years, which shall have initial
21 rents set at comparable market rents for the market
22 area, with subsequent rent adjustments only by an
23 operating cost factor established by the Secretary,
24 and which shall be eligible for renewal under section
25 524 of the Multifamily Assisted Housing Reform

1 and Affordability Act of 1997 (42 U.S.C. 1437f
2 note), or, subject to agreement of the administering
3 public housing agency, to assistance under section
4 8(o)(13) of the Act, to which the limitation under
5 subparagraph (B) of section 8(o)(13) of the Act
6 shall not apply and for which the Secretary may
7 waive or alter the provisions of subparagraphs (C)
8 and (D) of section 8(o)(13) of the Act (“Second
9 Component’ herein):”;

10 (3) by inserting before the 19th proviso the fol-
11 lowing: “*Provided further*, That conversions of assist-
12 ance under the Second Component may not be the
13 basis for re-screening or termination of assistance or
14 eviction of any tenant family in a property partici-
15 pating in the demonstration:”;

16 (4) in the 20th proviso, as so reordered by the
17 amendments made by the preceding provisions of
18 this section, by striking “previous proviso” and all
19 that follows through the end of the proviso and in-
20 serting “Second Component, except for conversion of
21 section 202 project rental assistance contracts, shall
22 be available for project-based subsidy contracts en-
23 tered into pursuant to the Second Component:”;

24 (5) in the 21st proviso, as so reordered by the
25 amendments made by the preceding provisions of

1 this section, by striking “previous two provisos” and
2 inserting “Second Component, except for conversion
3 of section 202 project rental assistance contracts,”;

4 (6) in the 22nd proviso, as so reordered by the
5 amendments made by the preceding provisions of
6 this section, by striking “three previous provisos”
7 and inserting “Second Component, except for con-
8 version of section 202 project rental assistance con-
9 tracts,”;

10 (7) by inserting before the last proviso the fol-
11 lowing: “*Provided further*, That the Secretary may
12 transfer amounts made available under the heading
13 ‘Housing for the Elderly’ to the accounts under the
14 headings ‘Project-Based Rental Assistance’ or ‘Ten-
15 ant-Based Rental Assistance’ to facilitate any sec-
16 tion 202 project rental assistance contract conver-
17 sions under the Second Component, and any in-
18 crease in cost for ‘Project-Based Rental Assistance’
19 or ‘Tenant-Based Rental Assistance’ associated with
20 such conversion shall be equal to amounts so trans-
21 ferred.”; and

22 (8) in the last proviso, by striking “previous
23 four provisos” and inserting “Second Component, as
24 applicable”.

1 This title may be cited as the “Department of Hous-
2 ing and Urban Development Appropriations Act, 2018”.

3 TITLE III

4 RELATED AGENCIES

5 ACCESS BOARD

6 SALARIES AND EXPENSES

7 For expenses necessary for the Access Board, as au-
8 thorized by section 502 of the Rehabilitation Act of 1973,
9 as amended, \$8,190,000: *Provided*, That, notwithstanding
10 any other provision of law, there may be credited to this
11 appropriation funds received for publications and training
12 expenses.

13 FEDERAL MARITIME COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Federal Maritime
16 Commission as authorized by section 201(d) of the Mer-
17 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
18 cluding services as authorized by 5 U.S.C. 3109; hire of
19 passenger motor vehicles as authorized by 31 U.S.C.
20 1343(b); and uniforms or allowances therefore, as author-
21 ized by 5 U.S.C. 5901–5902, \$27,490,000: *Provided*, That
22 not to exceed \$2,000 shall be available for official recep-
23 tion and representation expenses.

1 NATIONAL RAILROAD PASSENGER CORPORATION
2 OFFICE OF INSPECTOR GENERAL
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of Inspector
5 General for the National Railroad Passenger Corporation
6 to carry out the provisions of the Inspector General Act
7 of 1978, as amended, \$23,274,000: *Provided*, That the In-
8 spector General shall have all necessary authority, in car-
9 rying out the duties specified in the Inspector General Act,
10 as amended (5 U.S.C. App. 3), to investigate allegations
11 of fraud, including false statements to the government (18
12 U.S.C. 1001), by any person or entity that is subject to
13 regulation by the National Railroad Passenger Corpora-
14 tion: *Provided further*, That the Inspector General may
15 enter into contracts and other arrangements for audits,
16 studies, analyses, and other services with public agencies
17 and with private persons, subject to the applicable laws
18 and regulations that govern the obtaining of such services
19 within the National Railroad Passenger Corporation: *Pro-*
20 *vided further*, That the Inspector General may select, ap-
21 point, and employ such officers and employees as may be
22 necessary for carrying out the functions, powers, and du-
23 ties of the Office of Inspector General, subject to the appli-
24 cable laws and regulations that govern such selections, ap-
25 pointments, and employment within the Corporation: *Pro-*

1 *vided further*, That concurrent with the President's budget
2 request for fiscal year 2018, the Inspector General shall
3 submit to the House and Senate Committees on Appro-
4 priations a budget request for fiscal year 2018 in similar
5 format and substance to those submitted by executive
6 agencies of the Federal Government.

7 NATIONAL TRANSPORTATION SAFETY BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Transpor-
10 tation Safety Board, including hire of passenger motor ve-
11 hicles and aircraft; services as authorized by 5 U.S.C.
12 3109, but at rates for individuals not to exceed the per
13 diem rate equivalent to the rate for a GS-15; uniforms,
14 or allowances therefor, as authorized by law (5 U.S.C.
15 5901-5902), \$106,000,000, of which not to exceed \$2,000
16 may be used for official reception and representation ex-
17 penses. The amounts made available to the National
18 Transportation Safety Board in this Act include amounts
19 necessary to make lease payments on an obligation in-
20 curred in fiscal year 2001 for a capital lease.

21 NEIGHBORHOOD REINVESTMENT CORPORATION

22 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

23 CORPORATION

24 For payment to the Neighborhood Reinvestment Cor-
25 poration for use in neighborhood reinvestment activities,

1 as authorized by the Neighborhood Reinvestment Corpora-
2 tion Act (42 U.S.C. 8101–8107), \$140,000,000, of which
3 \$5,000,000 shall be for a multi-family rental housing pro-
4 gram.

5 SURFACE TRANSPORTATION BOARD

6 SALARIES AND EXPENSES

7 For necessary expenses of the Surface Transpor-
8 tation Board, including services authorized by 5 U.S.C.
9 3109, \$37,100,000: *Provided*, That notwithstanding any
10 other provision of law, not to exceed \$1,250,000 from fees
11 established by the Chairman of the Surface Transpor-
12 tation Board shall be credited to this appropriation as off-
13 setting collections and used for necessary and authorized
14 expenses under this heading: *Provided further*, That the
15 sum herein appropriated from the general fund shall be
16 reduced on a dollar-for-dollar basis as such offsetting col-
17 lections are received during fiscal year 2018, to result in
18 a final appropriation from the general fund estimated at
19 no more than \$35,850,000.

20 UNITED STATES INTERAGENCY COUNCIL ON

21 HOMELESSNESS

22 OPERATING EXPENSES

23 For closure of the United States Interagency Council
24 on Homelessness, \$570,000, notwithstanding section 209

1 of title II of the McKinney-Vento Homeless Assistance
2 Act, as amended.

3 TITLE IV
4 GENERAL PROVISIONS—THIS ACT
5 (INCLUDING RESCISSIONS)

6 SEC. 401. None of the funds in this Act shall be used
7 for the planning or execution of any program to pay the
8 expenses of, or otherwise compensate, non-Federal parties
9 intervening in regulatory or adjudicatory proceedings
10 funded in this Act.

11 SEC. 402. None of the funds appropriated in this Act
12 shall remain available for obligation beyond the current
13 fiscal year, nor may any be transferred to other appropria-
14 tions, unless expressly so provided herein.

15 SEC. 403. The expenditure of any appropriation
16 under this Act for any consulting service through a pro-
17 curement contract pursuant to section 3109 of title 5,
18 United States Code, shall be limited to those contracts
19 where such expenditures are a matter of public record and
20 available for public inspection, except where otherwise pro-
21 vided under existing law, or under existing Executive order
22 issued pursuant to existing law.

23 SEC. 404. (a) None of the funds made available in
24 this Act may be obligated or expended for any employee
25 training that—

1 (1) does not meet identified needs for knowl-
2 edge, skills, and abilities bearing directly upon the
3 performance of official duties;

4 (2) contains elements likely to induce high lev-
5 els of emotional response or psychological stress in
6 some participants;

7 (3) does not require prior employee notification
8 of the content and methods to be used in the train-
9 ing and written end of course evaluation;

10 (4) contains any methods or content associated
11 with religious or quasi-religious belief systems or
12 “new age” belief systems as defined in Equal Em-
13 ployment Opportunity Commission Notice N-
14 915.022, dated September 2, 1988; or

15 (5) is offensive to, or designed to change, par-
16 ticipants’ personal values or lifestyle outside the
17 workplace.

18 (b) Nothing in this section shall prohibit, restrict, or
19 otherwise preclude an agency from conducting training
20 bearing directly upon the performance of official duties.

21 SEC. 405. Except as otherwise provided in this Act,
22 none of the funds provided in this Act, provided by pre-
23 vious appropriations Acts to the agencies or entities fund-
24 ed in this Act that remain available for obligation or ex-
25 penditure in fiscal year 2018, or provided from any ac-

1 counts in the Treasury derived by the collection of fees
2 and available to the agencies funded by this Act, shall be
3 available for obligation or expenditure through a re-
4 programming of funds that—

5 (1) creates a new program;

6 (2) eliminates a program, project, or activity;

7 (3) increases funds or personnel for any pro-
8 gram, project, or activity for which funds have been
9 denied or restricted by the Congress;

10 (4) proposes to use funds directed for a specific
11 activity by either the House or Senate Committees
12 on Appropriations for a different purpose;

13 (5) augments existing programs, projects, or ac-
14 tivities in excess of \$5,000,000 or 10 percent, which-
15 ever is less;

16 (6) reduces existing programs, projects, or ac-
17 tivities by \$5,000,000 or 10 percent, whichever is
18 less; or

19 (7) creates, reorganizes, or restructures a
20 branch, division, office, bureau, board, commission,
21 agency, administration, or department different from
22 the budget justifications submitted to the Commit-
23 tees on Appropriations or the table accompanying
24 the explanatory statement accompanying this Act,
25 whichever is more detailed, unless prior approval is

1 received from the House and Senate Committees on
2 Appropriations: *Provided*, That not later than 60
3 days after the date of enactment of this Act, each
4 agency funded by this Act shall submit a report to
5 the Committees on Appropriations of the Senate and
6 of the House of Representatives to establish the
7 baseline for application of reprogramming and trans-
8 fer authorities for the current fiscal year: *Provided*
9 *further*, That the report shall include—

10 (A) a table for each appropriation with a
11 separate column to display the prior year en-
12 acted level, the President’s budget request, ad-
13 justments made by Congress, adjustments due
14 to enacted rescissions, if appropriate, and the
15 fiscal year enacted level;

16 (B) a delineation in the table for each ap-
17 propriation and its respective prior year enacted
18 level by object class and program, project, and
19 activity as detailed in the budget appendix for
20 the respective appropriation; and

21 (C) an identification of items of special
22 congressional interest.

23 SEC. 406. Except as otherwise specifically provided
24 by law, not to exceed 50 percent of unobligated balances
25 remaining available at the end of fiscal year 2018 from

1 appropriations made available for salaries and expenses
2 for fiscal year 2018 in this Act, shall remain available
3 through September 30, 2019, for each such account for
4 the purposes authorized: *Provided*, That a request shall
5 be submitted to the House and Senate Committees on Ap-
6 propriations for approval prior to the expenditure of such
7 funds: *Provided further*, That these requests shall be made
8 in compliance with reprogramming guidelines under sec-
9 tion 405 of this Act.

10 SEC. 407. No funds in this Act may be used to sup-
11 port any Federal, State, or local projects that seek to use
12 the power of eminent domain, unless eminent domain is
13 employed only for a public use: *Provided*, That for pur-
14 poses of this section, public use shall not be construed to
15 include economic development that primarily benefits pri-
16 vate entities: *Provided further*, That any use of funds for
17 mass transit, railroad, airport, seaport or highway
18 projects, as well as utility projects which benefit or serve
19 the general public (including energy-related, communica-
20 tion-related, water-related and wastewater-related infra-
21 structure), other structures designated for use by the gen-
22 eral public or which have other common-carrier or public-
23 utility functions that serve the general public and are sub-
24 ject to regulation and oversight by the government, and
25 projects for the removal of an immediate threat to public

1 health and safety or brownfields as defined in the Small
2 Business Liability Relief and Brownfields Revitalization
3 Act (Public Law 107–118) shall be considered a public
4 use for purposes of eminent domain.

5 SEC. 408. None of the funds made available in this
6 Act may be transferred to any department, agency, or in-
7 strumentality of the United States Government, except
8 pursuant to a transfer made by, or transfer authority pro-
9 vided in, this Act or any other appropriations Act.

10 SEC. 409. No part of any appropriation contained in
11 this Act shall be available to pay the salary for any person
12 filling a position, other than a temporary position, for-
13 merly held by an employee who has left to enter the Armed
14 Forces of the United States and has satisfactorily com-
15 pleted his or her period of active military or naval service,
16 and has within 90 days after his or her release from such
17 service or from hospitalization continuing after discharge
18 for a period of not more than 1 year, made application
19 for restoration to his or her former position and has been
20 certified by the Office of Personnel Management as still
21 qualified to perform the duties of his or her former posi-
22 tion and has not been restored thereto.

23 SEC. 410. No funds appropriated pursuant to this
24 Act may be expended by an entity unless the entity agrees
25 that in expending the assistance the entity will comply

1 with sections 2 through 4 of the Act of March 3, 1933
2 (41 U.S.C. 8301–8305, popularly known as the “Buy
3 American Act”).

4 SEC. 411. No funds appropriated or otherwise made
5 available under this Act shall be made available to any
6 person or entity that has been convicted of violating the
7 Buy American Act (41 U.S.C. 8301–8305).

8 SEC. 412. None of the funds made available in this
9 Act may be used for first-class airline accommodations in
10 contravention of sections 301–10.122 and 301–10.123 of
11 title 41, Code of Federal Regulations.

12 SEC. 413. (a) None of the funds made available by
13 this Act may be used to approve a new foreign air carrier
14 permit under sections 41301 through 41305 of title 49,
15 United States Code, or exemption application under sec-
16 tion 40109 of that title of an air carrier already holding
17 an air operators certificate issued by a country that is
18 party to the U.S.-E.U.-Iceland-Norway Air Transport
19 Agreement where such approval would contravene United
20 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
21 way Air Transport Agreement.

22 (b) Nothing in this section shall prohibit, restrict or
23 otherwise preclude the Secretary of Transportation from
24 granting a foreign air carrier permit or an exemption to
25 such an air carrier where such authorization is consistent

1 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
2 ment and United States law.

3 SEC. 414. None of the funds made available in this
4 Act may be used to send or otherwise pay for the attend-
5 ance of more than 50 employees of a single agency or de-
6 partment of the United States Government, who are sta-
7 tioned in the United States, at any single international
8 conference unless the relevant Secretary reports to the
9 House and Senate Committees on Appropriations at least
10 5 days in advance that such attendance is important to
11 the national interest: *Provided*, That for purposes of this
12 section the term “international conference” shall mean a
13 conference occurring outside of the United States attended
14 by representatives of the United States Government and
15 of foreign governments, international organizations, or
16 nongovernmental organizations.

17 SEC. 415. None of the funds appropriated or other-
18 wise made available under this Act may be used by the
19 Surface Transportation Board to charge or collect any fil-
20 ing fee for rate or practice complaints filed with the Board
21 in an amount in excess of the amount authorized for dis-
22 trict court civil suit filing fees under section 1914 of title
23 28, United States Code.

24 SEC. 416. (a) All unobligated balances, including re-
25 captures and carryover, remaining from funds appro-

1 priated in division K of Public Law 115–31 for “Depart-
2 ment of Transportation-Office of the Secretary-Salaries
3 and Expenses”, “Department of Transportation-Office of
4 the Secretary-Office of Civil Rights”, “Department of
5 Transportation-Office of the Secretary-Small and Dis-
6 advantaged Business Utilization and Outreach”, “Depart-
7 ment of Transportation-Federal Transit Administration-
8 Administrative Expenses”, “Department of Transpor-
9 tation-Pipeline and Hazardous Materials Safety Adminis-
10 tration-Operational Expenses”, “Surface Transportation
11 Board-Salaries and Expenses”, “Access Board-Salaries
12 and Expenses”, “Federal Maritime Commission-Salaries
13 and Expenses”, “National Railroad Passenger Corpora-
14 tion-Office of Inspector General-Salaries and Expenses”,
15 “National Transportation Safety Board-Salaries and Ex-
16 penses”, and “United States Interagency Council on
17 Homelessness-Operating Expenses” are rescinded.

18 (b) All unobligated balances, including recaptures
19 and carryover, remaining from funds appropriated in divi-
20 sion K of Public Law 115–31 for accounts under the head-
21 ings “Department of Housing and Urban Development-
22 Management and Administration” and “Department of
23 Housing and Urban Development-Program Office Salaries
24 and Expenses” are rescinded.

1 SEC. 417. (a) None of the funds made available in
2 this Act may be used to maintain or establish a computer
3 network unless such network blocks the viewing,
4 downloading, and exchanging of pornography.

5 (b) Nothing in subsection (a) shall limit the use of
6 funds necessary for any Federal, State, tribal, or local law
7 enforcement agency or any other entity carrying out crimi-
8 nal investigations, prosecution, or adjudication activities.

9 REFERENCES TO ACT

10 SEC. 418. Except as expressly provided otherwise,
11 any reference to “this Act” contained in this division shall
12 be treated as referring only to the provisions of this divi-
13 sion.

14 REFERENCE TO REPORT

15 SEC. 419. Any reference to a “report accompanying
16 this Act” contained in this division shall be treated as a
17 reference to House Report 115–237. The effect of such
18 Report shall be limited to this division and shall apply for
19 purposes of determining the allocation of funds provided
20 by, and the implementation of, this division.

21 SPENDING REDUCTION ACCOUNT

22 SEC. 420. \$0.

1 This division may be cited as the “Transportation,
2 Housing and Urban Development, and Related Agencies
3 Appropriations Act, 2018”.

